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SENATE JOURNAL 1985
Volume I

SENATE JOURNAL

OF THE

Forty-Ninth Legislature

OF THE

STATE OF MONTANA

VOLUME I

Held in Helena, the Seat of Government
Commencing in Regular Session January 7, 1985
and Ending April 25, 1985

BILL NORMAN
President of the Senate

BONNIE R. WALLEM
Secretary of the Senate

PUBLISHED BY
Montana Legislative Council

SENATE JOURNAL

OF THE

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Rose Munger
Journal Clerk

Kathleen Ely
Asst. Journal Clerk

Published by
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Helena, Montana 59620

Robie Baldwin-Culver
Data Entry Clerk

Diana S. Dowling
Executive Director

OFFICERS AND MEMBERS OF THE MONTANA SENATE 1985

50 Members

28 Democrats
22 Republicans

45 Men
5 Women

OFFICERS

President ..... Bill Norman
President Pro Tempore ..... Chet Blaylock
Majority Floor Leader ..... Fred Van Valkenburg
Majority Whip ..... B. F. "Chris" Christiaens
Minority Floor Leader ..... Stan Stephens
Minority Whip ..... Bruce Crippen
Secretary of the Senate ..... Bonnie Wallem

MEMBERS

NAME	RESIDENCE OR MAILING ADDRESS	DIST. NO.	COUNTY OF RESIDENCE	PARTY
*Aklestad, Gary C.	Box 32, Galata 59444	6	Toole	Republican
Anderson, John H., Jr.	Box 101, Alder 59710	37	Madison	Republican
Bengtson, Esther G.	Shepherd 59079	49	Yellowstone	Democrat
*Blaylock, Chet	502 3rd Ave., Laurel 59044	43	Yellowstone	Democrat
*Boylan, Paul	3747 So. 19th Rd., Bozeman 59715	39	Gallatin	Democrat
Brown, Bob	333 Cougar Trail, Whitefish 59937	2	Flathead	Republican
*Christiaens, B. F. Chris	210 36th St. No., Great Falls 59401	17	Cascade	Democrat
*Conover, Max	Box 46, Broadview 59015	42	Yellowstone	Democrat
Crippen, Bruce D.	2110 Overland Ave. #106, Billings 59102	45	Yellowstone	Republican
*Daniels, M. K.	Box 670, Deer Lodge 59722	24	Powell	Democrat
Eck, Dorothy	10 W. Garfield, Bozeman 59715	40	Gallatin	Democrat
Farrell, William E.	12255 Flora Dr., Missoula 59801	31	Missoula	Republican
*Fuller, David	1030 Sierra Rd. W., Helena 59601	22	Lewis & Clark	Democrat
*Gage, Delwyn	Box 1027, Cut Bank 59427	5	Glacier	Republican
*Galt, Jack	Martinsdale 59053	16	Meagher	Republican
*Goodover, Pat M.	803 Forest Ave., Great Falls 59404	20	Cascade	Republican
Haffey, Jack	709 W. 4th St., Anaconda 59711	33	Deer Lodge	Democrat
Hager, Tom	150 Norris Court, Billings 59105	48	Yellowstone	Republican
*Halligan, Mike	Box 9121, Missoula 59807	29	Missoula	Democrat
Hammond, H.W. "Swede"	Box 1366, Malta 59538	9	Phillips	Republican
Harding, Ethel M.	Box 25, Polson 59860	25	Lake	Republican
*Himsl, Matt	305 4th Ave. E., Kalispell 59901	3	Flathead	Republican
Hirsch, Les J.	Broadus Stage, Miles City 59301	13	Custer	Democrat
Jacobson, Judy H.	1440 W. Gold St., Butte 59701	36	Silver Bow	Democrat
Keating, Thomas F.	Box 20522, Billings 59104	44	Yellowstone	Republican
*Kolstad, Allen C.	Box 648, Chester 59522	7	Liberty	Republican
*Lane, Leo	Box 562, Three Forks 59752	38	Gallatin	Democrat
Lybeck, Ray	500 E. Reserve Dr., Kalispell 59901	4	Flathead	Democrat
*Lynch, J. D.	532 W. Mercury, Butte 59701	34	Silver Bow	Democrat
McCallum, George	Box 262, Plains 59859	26	Sanders	Republican
*Manning, Richard	810 7th Ave. No., Great Falls 59401	18	Cascade	Democrat
Mazurek, Joseph P.	516 Hayes, Helena 59601	23	Lewis & Clark	Democrat
*Mohar, John	Star Route 1, Troy 59935	1	Lincoln	Democrat
Neuman, Ted	Box 87, Vaughn 59487	21	Cascade	Democrat
*Norman, Bill	440 Connell, Missoula 59801	28	Missoula	Democrat
Pinsoneault, R. J. "Dick"	Box 250, St. Ignatius 59865	27	Lake	Democrat
*Regan, Pat	204 Mountain View, Billings 59101	47	Yellowstone	Democrat
*Severson, Elmer	Box 480, Middle Burnt Fork Rd., Stevensville 59870	32	Ravalli	Republican
*Shaw, James	Hodges Rt., Wibaux 59353	12	Wibaux	Republican
Smith, Ed B.	Box 11, Dagmar 59219	10	Sheridan	Republican
*Stephens, Stan	1645 Northern Heights, Havre 59501	8	Hill	Republican
Stimatz, Lawrence G. (Larry)	1615 C Street, Butte 59701	35	Silver Bow	Democrat
*Story, Pete	Box 355, Emigrant 59027	41	Park	Republican
Thayer, Gene	2612 4th Ave. So., Great Falls 59405	19	Cascade	Republican
*Towe, Thomas E.	2739 Gregory Drive So., Billings 59102	46	Yellowstone	Democrat
Tveit, Larry J.	Rt. 1, Box 117, Fairview 59221	11	Richland	Republican
Van Valkenburg, Fred	219 University, Missoula 59801	30	Missoula	Democrat
*Weeding, Cecil	P.O. Box 78, Jordan 59337	14	Garfield	Democrat
Williams, Bob	Box 338, Hobson 59452	15	Judith Basin	Democrat
Yellowtail, William P., Jr.	Box 308, Wyola 59089	50	Big Horn	Democrat

SENATE STANDING COMMITTEES

Agriculture, Livestock and Irrigation

M-W-F — 1:00-3:00 p.m. — Room 413/415

Boylan, Paul, Chairman
Conover, Max, Vice-Chairman
Aklestad, Gary
Bengtson, Esther
Galt, Jack
Hammond, Swede
Kolstad, Allen
Lane, Leo
Lybeck, Ray
Severson, Elmer
Williams, Bob
Council Staff: John MacMaster

Bills and Journal

On Call

Manning, Dick, Chairman
Halligan, Mike, Vice-Chairman
Galt, Jack
Himsl, Matt
Regan, Pat

Business and Industry

Mon thru Fri — 10:00 a.m.-12:00 — Room 410

Halligan, Mike, Chairman
Christiaens, Chris, Vice-Chairman
Boylan, Paul
Fuller, Dave
Gage, Delwyn
Goodover, Pat
Kolstad, Allen
Neuman, Ted
Thayer, Gene
Williams, Bob
Council Staff: Mary McCue

Committee on Committees

On Call

Jacobson, Judy, Chairman
Halligan, Mike, Vice-Chairman
Lynch, J. D.
Mazurek, Joe
Regan, Pat

Education and Cultural Resources

M-W-F — 1:00-3:00 p.m. — Room 402

Blaylock, Chet, Chairman
Pinsoneault, Dick, Vice-Chairman
Brown, Bob
Farrell, William
Haffey, Jack
Mazurek, Joe
McCallum, George
Regan, Pat
Smith, Ed
Yellowtail, Bill

Council Staff: Lee Heiman

Finance and Claims

Mon thru Fri — 8:00-11:30 a.m. — Room 108

Regan, Pat, Chairman
Jacobson, Judy, Vice-Chairman
Haffey, Jack, Vice-Chairman
Aklestad, Gary
Bengtson, Esther
Boylan, Paul
Christiaens, Chris
Gage, Delwyn
Hammond, Swede
Himsl, Matt
Keating, Tom
Lane, Leo
Manning, Dick
Smith, Ed
Stimatz, Larry
Story, Pete

Staff: Judy Rippingale
Legislative Fiscal Analyst

APPROPRIATIONS—FINANCE AND CLAIMS

Joint Subcommittees

Education, Rm. 104

Representative Donaldson, Chairman
Representative Moore
Representative Hand
Representative Peck
Senator Jacobson
Senator Haffey
Senator Hammond
Fiscal Analyst Staff: Pamela D. Joehler
Bill Sykes

General Government and Highways, Rm. 437

Representative Quilici, Chairman
Representative Connelly
Representative Lory
Senator Gage
Senator Stimatz
Senator Keating
Fiscal Analyst Staff: Clifford D. Roessner
Don Whitmer

Human Services, Rm. 108

Representative Winslow, Chairman
Representative Bradley
Representative Rehberg
Senator Story
Senator Dick Manning
Senator Christiaens
Fiscal Analyst Staff: Peter Blouke
Taryn Purdy

Institutions and Cultural Education, Rm. 129

Representative Waldron, Chairman
Representative Miller
Representative Menahan
Senator Bengtson
Senator Himsl
Senator Aklestad
Fiscal Analyst Staff: Keith Wolcott

Long-Range Planning, Rm. 420

Representative Bob Thoft, Chairman
Representative Gene Ernst
Representative Francis Bardanouve
Senator Fred Van Valkenburg
Senator Dave Fuller
Senator Larry Tveit
Fiscal Analyst Staff: Madelyn Quinlan

Natural Resources, Rm. 132

Representative Manuel, Chairman
Representative Spaeth
Representative Nathe
Representative Swift
Senator Boylan
Senator Smith
Senator Lane
Fiscal Analyst Staff: Curtis M. Nichols

Fish and Game

T-Th-Sa — 1:00-3:00 p.m. — Room 402

Conover, Max, Chairman
Lane, Leo, Vice-Chairman
Anderson, John
Jacobson, Judy
Severson, Elmer
Smith, Ed
Yellowtail, Bill
Council Staff: Andrea Merrill

Highways and Transportation

T-Th-Sa — 1:00-3:00 p.m. — Room 410

Stimatz, Larry, Chairman
Daniels, M. K., Vice-Chairman
Bengtson, Esther
Farrell, William
Hager, Tom
Lybeck, Ray
Shaw, James
Tveit, Larry
Williams, Bob
Council Staff: Paul Verdon

Judiciary

Mon thru Fri — 10:00 a.m.-12:00 — Room 325

Mazurek, Joe, Chairman
Daniels, M. K., Vice-Chairman
Blaylock, Chet
Brown, Bob
Crippen, Bruce
Galt, Jack
Pinsoneault, Dick
Shaw, James
Towe, Tom
Yellowtail, Bill

Council Staff: Greg Petesch

Labor and Employment Relations

T-Th-Sa — 1:00-3:00 p.m. — Room 413/415

Lynch, J. D., Chairman
Manning, Dick, Vice-Chairman
Aklestad, Gary
Blaylock, Chet
Haffey, Jack
Keating, Tom
Thayer, Gene
Towe, Tom

Council Staff: John MacMaster

Legislative Administration

On Call

Blaylock, Chet, Chairman
Manning, Dick, Vice-Chairman
Kolstad, Allen
Mazurek, Joe
McCallum, George

Local Government

T-Th-Sa — 1:00-3:00 p.m. — Room 405

Fuller, Dave, Chairman
Mohar, John, Vice-Chairman
Crippen, Bruce
Eck, Dorothy
Harding, Ethel
Hirsch, Les
McCallum, George
Pinsoneault, Dick
Regan, Pat
Story, Pete

Council Staff: Karen Renne

Natural Resources

M-W-F — 1:00-3:00 p.m. — Room 405

Eck, Dorothy, Chairman
Halligan, Mike, Vice-Chairman
Anderson, John
Daniels, M. K.
Fuller, Dave
Gage, Delwyn
Harding, Ethel
Manning, Dave
Mohar, John
Shaw, James
Stimatz, Larry
Tveit, Larry
EQC Staff: Robert Thompson

Public Health, Welfare, and Safety

M-W-F — 1:00-3:00 p.m. — Room 410

Jacobson, Judy, Chairman
Lynch, J. D., Vice-Chairman
Hager, Tom
Himsl, Matt
Norman, Bill
Stephens, Stan
Towe, Tom
Council Staff: Karen Renne

Rules

On Call

Van Valkenburg, Fred, Chairman
Norman, Bill, Vice-Chairman
Christiaens, Chris
Crippen, Bruce
Stephens, Stan

State Administration

Mon thru Fri — 10:00 a.m.-12:00 — Room 331

Haffey, Jack, Chairman
Hirsch, Les, Vice-Chairman
Anderson, John
Conover, Max
Farrell, William
Harding, Ethel
Lynch, J. D.
Manning, Dick
Mohar, John
Tveit, Larry
Council Staff: Valencia Lane

Taxation

Mon thru Fri — 8:00-10:00 a.m. — Room 413/415

Towe, Tom, Chairman
Mazurek, Joe, Vice-Chairman
Brown, Bob
Eck, Dorothy
Goodover, Pat
Hager, Tom
Halligan, Mike
Hirsch, Les
Lybeck, Ray
McCallum, George
Neuman, Ted
Severson, Elmer

Council Staff: Jim Lear

SENATE JOURNAL

OF THE

Forty-ninth Legislature

OF THE

State of Montana

FIRST LEGISLATIVE DAY

Helena, Montana
January 7, 1985

Senate Chambers
State Capitol

At twelve o'clock noon, the Senate of the Forty-ninth Legislature of the State of Montana was called to order with Senator Dave Manning presiding.

There being no objection, Senator Manning appointed Father Robert C. Noonan of Helena, Montana, as temporary Chaplain of the Senate, and Ralph Erving of Helena, Montana, as temporary Sergeant-at-Arms of the Senate.

Posting of the colors by Master-Sergeant George Gipe and members of the Montana Air National Guard, and the Pledge of Allegiance to the Flag followed.

The invocation was given by Father Noonan.

Without objection, Senator Manning appointed Bonnie R. Wallem of Helena, Montana, as temporary Secretary of the Senate.

At the direction of Senator Manning, the temporary Secretary called the roll of newly elected Senators by district. The following Senators responded thereto:

District No. 2, Bob Brown; District No. 4, Ray Lybeck; District No. 9, H.W. "Swede" Hammond; District No. 10, Ed B. Smith; District No. 11, Larry J. Tveit; District No. 13, Les J. Hirsch; District No. 15, Bob Williams; District No. 19, Gene Thayer; District No. 21, Ted Neuman; District No. 23, Joseph P. Mazurek; District No. 25, Ethel M. Harding; District No. 26, George McCallum; District No. 27, R.J. "Dick" Pinsoneault; District No. 30, Fred Van Valkenburg; District No. 31, William E. Farrell; District No. 33, Jack Haffey; District No. 35, Lawrence G. "Larry" Stimatz; District No. 36, Judy H. Jacobson; District No. 37, John H. Anderson, Jr.; District No. 40, Dorothy Eck; District No. 44, Thomas F. Keating; District No. 45, Bruce D. Crippen; District No. 48, Tom Hager; District No. 49, Esther G. Bengtson; District No. 50, William P. Yellowtail, Jr.

The Chief Justice of the Supreme Court, the Honorable Jean Turnage, was admitted to the Senate Chamber and administered the following constitutional oath of office to the Senators-elect who subscribed to same:

"I do solemnly swear that I will support, protect and defend the Constitution of the United States and the Constitution of the State of Montana,

and that I will discharge the duties of my office as Senator with fidelity. SO HELP ME GOD."

At the direction of Senator Manning, the temporary Secretary called the complete roll of the Senate. The following Senators responded thereto:

Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, D. Manning, R. Manning, Mazurek, McCallum, Mohar, Neuman, Norman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.

All members were present. Senator Manning announced that the Senate of the Forty-ninth Legislature was duly organized and ready for business.

MOTIONS

Senator Van Valkenburg moved that the rules of the Senate and the joint rules of the Senate and House of Representatives of the Forty-eighth Legislature be the temporary rules of the Forty-ninth Legislature. Motion carried unanimously.

Senator Van Valkenburg moved that Senator Norman of District 28 be nominated for the office of the President of the Senate of the Forty-ninth Legislature and moved that his election carry with it the name of Senator Blaylock of District 43 for the office of President Pro Tempore.

Senator Stephens moved that Senator McCallum of District 26 be nominated for the office of the President of the Senate of the Forty-ninth Legislature and moved that his election carry with it the name of Senator Story of District 41 for the office of President Pro Tempore. Nominations were closed and the following roll call votes were cast:

For Senator Norman: Bengtson, Blaylock, Boylan, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, D., Manning, R., Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail. Total 28

For Senator McCallum: Aklestad, Anderson, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, Norman, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit. Total 22

Senator Manning announced the election of Senator Norman as President of the Senate of the Forty-ninth Legislature, said nomination having received a majority of the votes cast, which election carried with it the election of Senator Blaylock as President Pro Tempore.

Senator Norman assumed the chair of the President of the Senate and made some opening remarks.

Senator Christiaens nominated Senator Van Valkenburg of District 30 for the office of Majority Floor Leader of the Senate of the Forty-ninth Legislature and further moved that his election carry with it the following Senate officers: Senate Committee on Committees — Senator Jacobson, Chairman; Senator Halligan, Senator Mazurek, Senator Regan, and Senator Lynch.

Senator McCallum nominated Senator Stephens of District 8 for the office of Majority Floor Leader of the Senate of the Forty-ninth Legislature. Nominations were closed and the following roll call votes were cast:

For Senator Van Valkenburg: Bengtson, Blaylock, Boylan, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, D., Manning, R., Mazurek, Mohar, Neuman, Norman, Pinsoneault, Regan, Stephens, Stimatz, Towe, Williams, Yellowtail.
Total 28

For Senator Stephens: Aklestad, Anderson, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Story, Thayer, Tveit, Van Valkenburg.
Total 22

The President announced the election of Senator Van Valkenburg as Majority Floor Leader of the Senate of the Forty-ninth Legislature, said nomination having received a majority of the votes cast, which election carried with it the election of the other nominees named in the above motion of Senator Christiaens.

Senator Stephens, having received a minority of votes cast, was elected Minority Floor Leader.

ANNOUNCEMENT OF COMMITTEE MEETINGS

Secretary Wallem read the following letter:

Dear Senators:

I am transmitting to you my appointments for offices of Secretary of the Senate, Sergeant-at-Arms to the Senate, and Chaplain to the Senate, for your consideration and approval.

Secretary of the Senate - Bonnie R. Wallem

Sergeant-at-Arms to the Senate - Ralph Erving

Chaplain to the Senate - Robert C. Noonan

Very truly yours,

Senator Bill Norman
President of the Senate

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved the confirmation of the President's appointments of Bonnie R. Wallem, Helena, Montana, as Secretary of the Senate for the Forty-ninth Legislature; Ralph Erving, Helena, Montana, as Sergeant-at-Arms of the Senate for the Forty-ninth Legislature; and Father Robert C. Noonan, Helena, Montana, as Chaplain to the Senate for the Forty-ninth Legislature. The appointments were confirmed unanimously.

Senator Van Valkenburg moved that the President appoint a select committee of three to notify his Excellency, the Governor, that the Senate was organized and ready for the transaction of business. Motion carried unanimously.

The President appointed the following committee: Senator Stimatz, Chairman, Senator Neuman, and Senator Kolstad.

Senator Van Valkenburg moved that the President appoint a select committee of three to notify the Chief Justice and associate members of the

Supreme Court that the Senate was organized and ready for the transaction of business and to invite the Chief Justice and the associate members of the Supreme Court to attend a joint session of the Senate and the House of Representatives at a time to be designated. Motion carried unanimously.

The President appointed Senator Mazurek, Chairman, Senator Blaylock, and Senator McCallum.

Senator Van Valkenburg moved that the President appoint a select committee of three to notify the House of Representatives that the Senate was organized and ready for business and that the Senate wishes them success in their deliberations. Motion carried unanimously.

The President appointed the following committee: Senator Towe, Chairman, Senator Hirsch, and Senator Himsl.

Senator Van Valkenburg moved that the Senate stand in recess subject to the call of the Chair to await the reports of the select committees. Motion carried unanimously.

Senate recessed at 12:39 p.m.

Senate reconvened at 12:42 p.m.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 5.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

A committee from the House, Representatives Ellerd, Holliday, Miller, and Kennerly, advised the Senate that the House was organized and ready for business.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 3.

REPORTS OF SELECT COMMITTEES

The committee appointed to notify the House of Representatives that the Senate was organized and ready for business made its report. The message was acknowledged, and the committee was dismissed.

The committee appointed to notify the Governor that the Senate was organized and ready for business reported that the Governor extended his best wishes.

Senate recessed at 12:46 p.m. to await the return of the committee of three appointed to notify the Supreme Court.

Senate reconvened at 12:51 p.m.

The committee appointed to notify the Chief Justice and associate members of the Supreme Court that the Senate was duly organized and ready for business returned and reported that the committee had left a message.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 1/7/85

Respectfully recommend that the attaches approved by the Committee on Legislative Administration be approved by this body:

Sidney O. Armstrong ..... Assistant Secretary of Senate
Vicki Lofthouse ..... Secretary to Secretary of Senate
Vonnie Evans ..... Secretary to Asst. Sec. of Senate
Margaret Regan ..... Assistant Sergeant-At-Arms
David Elias ..... Assistant Sergeant-At-Arms
Ted Fiskevold ..... Assistant Sergeant-At-Arms
Bobbie Murphy ..... Secretary to the President of the Senate
Kelly Jean Beard ..... Secretary to the Majority Floor Leader
Tempie Renders ..... Secretary to the Majority Whip
Barbara Simic ..... Secretary to the Minority Floor Leader
Rosemary Jacoby ..... Secretary to the Minority Whip
Sanna Kiesling ..... Chief Stenographer
Janean Meacham ..... Assistant Chief Stenographer
Rose Oleson ..... Journal Clerk
Kathleen Ely ..... Assistant Journal Clerk
Doris Cason ..... Bills Clerk
Joan Duncan ..... Assistant Bills Clerk
Bob Purdy ..... Bills Distributor
Cynthia Jeske ..... Assistant Bills Distributor
Mike Menahan ..... Bills Coordinator
Paul Tuss ..... Assistant Bills Coordinator
Joann Owens ..... Amendments Coordinator
Kathy Bramer ..... Assistant Amendments Coordinator
Nancy Ritz ..... Secretary for Computer Input
Molly Grove ..... Reading Clerk
Wayne Putz ..... Security/Doorman
John Bulger ..... Security/Doorman
Cort Harrington ..... Security/Doorman
Delores Wordal ..... Typist
Jean Stearns ..... Proofreader
Barbara Griffith ..... Proofreader
Jewell Lee ..... Steno Aide
Rita Tenneson ..... Committee Secretary
Carol Duval ..... Committee Secretary
Jill Rohyans ..... Committee Secretary
Sylvia Kinsey ..... Committee Secretary
Agnes Hamilton ..... Committee Secretary
Margaret Bender ..... Committee Secretary
Cindy Staley ..... Committee Secretary
Beth Daily ..... Committee Secretary
Cheryl Ghilardi ..... Committee Secretary
Cindy Peterson ..... Committee Secretary
Elaine Graveley ..... Committee Secretary
Glenda Pennington ..... Committee Secretary
Nancy Aagenes ..... Committee Secretary
Leona Williams ..... Committee Secretary
Mari Barham ..... Committee Secretary
Louise Fulbright ..... Committee Secretary
Melinda Lane ..... Page
Clayton Wold ..... Page
Robin Wampler ..... Page
Charlene Sirokman ..... Page
Linda Carlson ..... Legislative Telephone Operator
Janine Rux ..... Asst. Legislative Telephone Operator

Report adopted.

COMMITTEES (Jacobson, Chairman): 1/7/85

Respectfully report and recommend the following committee appointments, times, dates, and room numbers:

AGRICULTURE, LIVESTOCK AND IRRIGATION - M W F — 1:00 p.m. - 3:00 p.m. - Room 413/415

Paul Boylan, Chairman (D)
Max Conover, Vice-Chairman (D)
Gary Aklestad (R)
Esther Bengtson (D)
Jack Galt (R)
H.W. Hammond (R)
Allen Kolstad (R)
Leo Lane (D)
Ray Lybeck (D)
Elmer Severson (R)
Bob Williams (D)

BILLS AND JOURNAL - On Call

Dick Manning, Chairman (D)
Mike Halligan, Vice-Chairman (D)
Jack Galt (R)
Matt Himsl (R)
Pat Regan (D)

BUSINESS AND INDUSTRY - M T W Th F — 10:00 a.m. - 12:00 noon - Room 410

Mike Halligan, Chairman (D)
B.F. Chris Christiaens, Vice-Chairman (D)
Paul Boylan (D)
Dave Fuller (D)
Delwyn Gage (R)
Pat Goodover (R)
Allen Kolstad (R)
Ted Neuman (D)
Gene Thayer (R)
Bob Williams (D)

COMMITTEES - On Call

Judy Jacobson, Chairman (D)
Mike Halligan, Vice-Chairman (D)
J.D. Lynch (D)
Joe Mazurek (D)
Pat Regan (D)

EDUCATION AND CULTURAL RESOURCES - M W F — 1:00 p.m. - 3:00 p.m. - Room 402

Chet Blaylock, Chairman (D)
Dick Pinsoneault, Vice-Chairman (D)
Bob Brown (R)
William Farrell (R)
Jack Haffey (D)
Joe Mazurek (D)
George McCallum (R)
Pat Regan (D)
Ed Smith (R)
Bill Yellowtail (D)

FINANCE AND CLAIMS - M T W Th F — 8:00 a.m. - 11:30 a.m. - Room 108

Pat Regan, Chairman (D)
Judy Jacobson, Vice-Chairman (D)
Jack Haffey, Vice-Chairman (D)
Gary Aklestad (R)
Esther Bengtson (D)
Paul Boylan (D)
B.F. Chris Christiaens (D)
Delwyn Gage (R)
H.W. Hammond (R)
Matt Himsl (R)
Tom Keating (R)
Leo Lane (D)
Dick Manning (D)
Ed Smith (R)
Larry Stimatz (D)
Pete Story (R)

FISH AND GAME - T Th S — 1:00 p.m. - 3:00 p.m. - Room 402

Max Conover, Chairman (D)
Leo Lane, Vice-Chairman (D)
John Anderson (R)
Judy Jacobson (D)
Elmer Severson (R)
Ed Smith (R)
Bill Yellowtail (D)

HIGHWAYS AND TRANSPORTATION - T Th S — 1:00 p.m. - 3:00 p.m. - Room 410

Larry Stimatz, Chairman (D)
Dave Manning, Vice-Chairman (D)
Esther Bengtson (D)
M.K. Daniels (D)
William Farrell (R)
Tom Hager (R)
Ray Lybeck (D)
James Shaw (R)
Larry Tveit (R)
Bob Williams (D)

JUDICIARY - M T W Th F — 10:00 a.m. - 12:00 noon - Room 325

Joe Mazurek, Chairman (D)
M.K. Daniels, Chairman (D)
Chet Blaylock (D)
Bob Brown (R)
Bruce Crippen (R)
Jack Galt (R)
Dick Pinsoneault (D)
James Shaw (R)
Tom Towe (D)
Bill Yellowtail (D)

LABOR AND EMPLOYMENT RELATIONS - T Th S — 1:00 p.m. - 3:00 p.m. - Room 413/415

J.D. Lynch, Chairman (D)

Dick Manning, Vice-Chairman (D)
Gary Aklestad (R)
Chet Blaylock (D)
Jack Haffey (D)
Tom Keating (R)
Gene Thayer (R)
Tom Towe (D)

LEGISLATIVE ADMINISTRATION - On Call

Chet Blaylock, Chairman (D)
Dick Manning, Vice-Chairman (D)
Allen Kolstad (R)
Joe Mazurek(D)
George McCallum (R)

LOCAL GOVERNMENT - T Th S — 1:00 p.m. - 3:00 p.m. - Room 405

Dave Fuller, Chairman (D)
John Mohar, Vice-Chairman (D)
Bruce Crippen (R)
Dorothy Eck (D)
Ethel Harding (R)
Les Hirsch (D)
George McCallum (R)
Dick Pinsoneault (D)
Pat Regan (D)
Pete Story (R)

NATURAL RESOURCES - M W F — 1:00 p.m. - 3:00 p.m. - Room 405

Dorothy Eck, Chairman (D)
Mike Halligan, Vice-Chairman (D)
John Anderson (R)
M.K. Daniels (D)
Dave Fuller (D)
Delwyn Gage (R)
Ethel Harding (R)
Dave Manning (D)
John Mohar (D)
James Shaw (R)
Larry Stimatz (D)
Larry Tveit (R)

PUBLIC HEALTH, WELFARE AND SAFETY - M W F — 1:00 p.m. - 3:00 p.m. - Room 410

Judy Jacobson, Chairman (D)
J.D. Lynch, Vice-Chairman (D)
Tom Hager (R)
Matt Himsl (R)
Ted Neuman (D)
Bill Norman (D)
Stan Stephens (R)
Tom Towe (D)

RULES - On Call

Fred Van Valkenburg, Chairman (D)
Bill Norman, Vice-Chairman (D)
B.F. Chris Christiaens (D)
Bruce Crippen (R)

Stan Stephens (R)

STATE ADMINISTRATION - M T W Th F — 10:00 a.m. - 12:00 noon - Room 331

Jack Haffey, Chairman (D)
Les Hirsch, Vice-Chairman (D)
John Anderson (R)
Max Conover (D)
William Farrell (R)
Ethel Harding (R)
J.D. Lynch (D)
Dick Manning (D)
John Mohar (D)
Larry Tveit (R)

TAXATION - M T W Th F — 8:00 a.m. - 10:00 a.m. - Room 413/415

Tom Towe, Chairman (D)
Joe Mazurek, Vice-Chairman (D)
Bob Brown (R)
Dorothy Eck (D)
Pat Goodover (R)
Tom Hager (R)
Mike Halligan (D)
Les Hirsch (D)
Ray Lybeck (D)
George McCallum (R)
Ted Neuman (D)
Elmer Severson (R)

Do pass. Report adopted.

MOTIONS

Senator Van Valkenburg moved that the accredited members of the press, radio, and television be granted the privilege of the Senate floor subject to the rules. Motion carried unanimously.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 7.

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 1, introduced by Christiaens, (By Request of the Coal Tax Oversight Subcommittee). Referred to Committee on Local Government.
SB 2, introduced by Shaw. Referred to Committee on Judiciary.
SB 3, introduced by Shaw. Referred to Committee on Judiciary.
SB 4, introduced by Gage, (By Request of the Coal Tax Oversight Subcommittee). Referred to Committee on Taxation.
SB 5, introduced by Daniels, (By Request of the Code Commissioner). Referred to Committee on Judiciary.
SB 6, introduced by Daniels, (By Request of the Code Commissioner). Referred to Committee on Business and Industry.
SB 7, introduced by Neuman, (By Request of the Interim Joint Subcommittee No. 3). Referred to Committee on Local Government.
SB 8, introduced by Neuman, (By Request of the Interim Joint Subcommittee No. 3). Referred to Committee on State Administration.
SB 9, introduced by Neuman, (By Request of the Interim Joint Subcommittee No. 3). Referred to Committee on State Administration.

SB 10, introduced by Neuman, (By Request of the Joint Interim Subcommittee No. 3). Referred to Committee on State Administration.

SB 11, introduced by Neuman, (By Request of the Joint Interim Subcommittee No. 3). Referred to Committee on State Administration.

SB 12, introduced by Haffey, (By Request of the Legislative Finance Committee). Referred to Committee on State Administration.

SB 13, introduced by Story, (By Request of the Administrative Code Committee). Referred to Committee on State Administration.

SB 14, introduced by Kolstad, (By Request of the Legislative Council). Referred to Committee on State Administration.

SB 15, introduced by Kolstad, (By Request of the Code Commissioner). Referred to Committee on Highways and Transportation.

SB 16, introduced by Kolstad, (By Request of the Code Commissioner). Referred to Committee on Public Health, Welfare and Safety.

SB 17, introduced by Goodover, (By Request of the Code Commissioner). Referred to Committee on Labor and Employment Relations.

SB 18, introduced by Mazurek, (By Request of Joint Interim Subcommittee No. 4). Referred to Committee on Education and Cultural Resources.

SB 19, introduced by Lynch. Referred to Committee on Public Health, Welfare and Safety.

SB 20, introduced by Fuller. Referred to Committee on Local Government.

SB 21, introduced by Towe. Referred to Committee on Taxation.

SB 22, introduced by Story. Referred to Committee on Highways and Transportation.

SB 23, introduced by Neuman, (By Request of Joint Interim Subcommittee No. 3). Referred to Committee on State Administration.

SB 24, introduced by Towe, Asay, (By Request of the Select Committee on Indian Affairs). Referred to Committee on Judiciary.

SB 25, introduced by Towe, (By Request of Joint Interim Subcommittee No. 3). Referred to Committee on Local Government.

SB 26, introduced by Towe, (By Request of the Select Committee on Indian Affairs). Referred to Committee on Judiciary.

SB 27, introduced by Daniels, (By Request of Joint Interim Subcommittee No. 3). Referred to Committee on Judiciary.

SB 28, introduced by Eck, (By Request of the Select Committee on Indian Affairs). Referred to Committee on Judiciary.

SB 29, introduced by Shaw. Referred to Committee on Labor and Employment Relations.

SB 30, introduced by Towe. Referred to Committee on Judiciary.

SB 31, introduced by Himsl. Referred to Committee on Local Government.

SB 32, introduced by Aklestad. Referred to Committee on Taxation.

SB 33, introduced by Severson, Switzer, (By Request of the Revenue Oversight Committee). Referred to Committee on Taxation.

SB 37, introduced by Mazurek, (By Request of the Revenue Oversight Committee). Referred to Committee on Taxation.

SB 38, introduced by Mazurek, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Local Government.

SB 39, introduced by Mazurek, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Business and Industry.

SB 40, introduced by Mazurek, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Business and Industry.

SB 41, introduced by Towe, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Taxation.

SB 42, introduced by Towe, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Taxation.

SB 43, introduced by Towe, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Taxation.

SB 44, introduced by Towe, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Taxation.

SB 45, introduced by Towe, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Business and Industry.

SB 46, introduced by Towe, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Taxation.

SB 47, introduced by Towe, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Taxation.

SB 49, introduced by B. Brown, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Taxation.

SB 50, introduced by B. Brown, (By Request of the Revenue Oversight Committee and the Department of Revenue). Referred to Committee on Local Government.

SB 51, introduced by B. Brown, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Taxation.

SB 52, introduced by Crippen, (By Request of the Revenue Oversight Committee). Referred to Committee on Business and Industry.

SB 53, introduced by Crippen, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Business and Industry.

SB 54, introduced by Towe. Referred to Committee on Public Health, Welfare and Safety.

SB 55, introduced by Towe. Referred to Committee on Taxation.

SB 56, introduced by Christiaens. Referred to Committee on Judiciary.

SB 57, introduced by Conover. Referred to Committee on Public Health, Welfare and Safety.

SB 58, introduced by Christiaens. Referred to Committee on Highways and Transportation.

SB 59, introduced by Towe. Referred to Committee on State Administration.

SB 60, introduced by Mazurek. Referred to Committee on Judiciary.

SB 61, introduced by R. Manning. Referred to Committee on State Administration.

SB 62, introduced by R. Manning. Referred to Committee on Local Government.

SB 63, introduced by Halligan. Referred to Committee on Judiciary.

SB 64, introduced by Aklestad. Referred to Committee on Taxation.

SB 65, introduced by Blaylock. Referred to Committee on Legislative Administration.

SB 66, introduced by Halligan. Referred to Committee on Business and Industry.

SB 67, introduced by Gage. Referred to Committee on Taxation.
SB 68, introduced by Jacobson, (By Request of the Department of Livestock). Referred to Committee on Agriculture, Livestock and Irrigation.
SB 69, introduced by Galt, (By Request of the Montana Reserved Water Rights Compact Commission). Referred to Committee on Judiciary.
SB 70, introduced by Aklestad. Referred to Committee on Labor and Employment Relations.
SB 71, introduced by Hager. Referred to Committee on Public Health, Welfare and Safety.
SB 72, introduced by Hager. Referred to Committee on Taxation.
SB 73, introduced by R. Manning. Referred to Committee on Public Health, Welfare and Safety.
SB 74, introduced by Aklestad. Referred to Committee on Highways and Transportation.
SB 75, introduced by Aklestad. Referred to Committee on Labor and Employment Relations.
SB 76, introduced by Halligan. Referred to Committee on Taxation.
SB 77, introduced by Jacobson. Referred to Select Committee on Long-Range Building.
SB 78, introduced by Tveit. Referred to Committee on State Administration.
SB 79, introduced by Christiaens. Referred to Committee on Public Health, Welfare and Safety.
SB 80, introduced by Jacobson. Referred to Committee on Public Health, Welfare and Safety.
SB 81, introduced by Aklestad. Referred to Committee on Labor and Employment Relations.
SJR 1, introduced by Mazurek. Referred to Committee on Public Health, Welfare and Safety.
SJR 2, introduced by Lybeck. Referred to Committee on Business and Industry.
SR 1, introduced by Van Valkenburg. Referred to Committee on Rules.

SPECIAL ORDERS OF THE DAY

President Norman introduced and welcomed the following eleven new Senators:

Senator John H. Anderson, Jr.
Senator Esther G. Bengtson
Senator William E. Farrell
Senator Ethel M. Harding
Senator Les J. Hirsch
Senator Ray Lybeck
Senator Ted Neuman
Senator Dick Pinsoneault
Senator Gene Thayer
Senator Bob Williams
Senator William P. Yellowtail, Jr.

Former Senator Carroll Graham addressed the members of the Senate.

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., January 8, 1985.

Motion carried.

Senate adjourned at 1:26 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

SECOND LEGISLATIVE DAY

Helena, Montana
January 8, 1985

Senate Chambers
State Capitol

Senate convened at 3:04 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except D. Manning, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

LOCAL GOVERNMENT (Fuller, Chairman): 1/8/85
SB 38, introduced bill, be amended as follows:

1. Page 1, line 22.
Following: "expired,"
Insert: "or at such time as a final judgment is entered on judicial review,"

And, as amended, do pass. Report adopted.

SB 50, do pass. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 1/8/85
SB 12, do pass. Report adopted.
SB 14, do pass. Report adopted.

MOTIONS

Senator Lybeck moved that the following name be added to the list of sponsors of SJR 2: Cohen. Motion withdrawn.

Senator Jacobson moved that SB 77 be taken from the Select Committee on Long-Range Building and that it be rereferred to the Committee on Fish and Game. Motion carried unanimously.

Senator Aklestad moved that the following names be added to the list of sponsors of SB 32: Cody, Kolstad, Hammond, Conover, Schultz, Manuel. Motion carried unanimously.

Senator Galt moved that the following name be added to the list of sponsors of SB 69: Mazurek. Motion carried unanimously.

Senator Crippen moved that SB 52 be taken from the Committee on Business and Industry and that it be rereferred to the Committee on Taxation. Motion carried unanimously.

Senator Crippen moved that SB 53 be taken from the Committee on Business and Industry and that it be rereferred to the Committee on Taxation. Motion carried unanimously.

Senator Hager moved that the following names be added to the list of sponsors of SB 72: Stephens, Kolstad, Hammond, Thayer, Farrell, Shaw, Anderson, E. Smith, Harding, Gage, Severson, McCallum, Fuller, Regan, Goodover. Motion carried unanimously.

FIRST READING OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SJR 3, introduced by Van Valkenburg, Ramirez, Harper, Stephens. Referred to Committee on Rules.

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., January 9, 1985.

Motion carried.

Senate adjourned at 3:26 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

THIRD LEGISLATIVE DAY

Helena, Montana
January 9, 1985

Senate Chambers
State Capitol

Senate convened at 3:00 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except D. Manning, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journals for the first and second legislative days, find the same to be correct.

R. Manning, Chairman

COMMUNICATIONS AND PETITIONS

Secretary Wallem read the following announcement from Diana Dowling, Executive Director, Legislative Council:

There has been some confusion concerning bills now being delivered to legislators and the deadline for introduction.

According to Joint Rule 6-7, you have until the 14th legislative day (January 22 at 5 p.m.) to introduce any general bill or resolution that is delivered to you before that date. Since it is not humanly possible to get all the bills completed by the 14th day, bills delivered to you after the 14th day will have the day and time of delivery marked on the reverse side of the original bill (on the cover). You have 2 legislative days thereafter to introduce the bill or resolution.

REPORTS OF STANDING COMMITTEES

BILLS (R. Manning, Chairman): 1/9/85
Correctly printed and placed on the members' desks: SB 12, SB 14, SB 38, SB 50.

Report adopted.

HIGHWAYS AND TRANSPORTATION (Stimatz, Chairman): 1/8/85
SB 15, do pass. Report adopted.

RULES (Van Valkenburg, Chairman): 1/9/85
SJR 3, do pass. Report adopted.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bill passed and transmitted to the Senate for concurrence: 1/8/85

HB 1, introduced by Bardanouve

MOTIONS

Senator Lybeck moved that the following name be added to the list of sponsors of SJR 2: Cohen. Motion carried unanimously.

Senator Shaw moved that the following names be added to the list of sponsors of SB 2: O'Hara, Harp, Nathe, Campbell, Spaeth, Hannah, Thomas, Devlin, Switzer, Nelson, Kitselman, Gage, Himsl, Severson, Swift, Keating, Galt, Goodover, Crippen. Motion carried unanimously.

Senator Shaw moved that the following names be added to the list of sponsors of SB3: O'Hara, Harp, Nathe, Campbell, Spaeth, Hannah,

Thomas, Devlin, Switzer, Nelson, Kitselman, Gage, Himsl, Severson, Swift, Keating, Galt, Goodover, Crippen. Motion carried unanimously.

Senator Tveit moved that the following names be added to the list of sponsors of SB 78: Aklestad, Shaw, Lane, Hirsch, Lybeck, Anderson, Gage, Bengtson, Hammond, Farrell, Pinsoneault, Smith, Conover, McCallum. Motion carried unanimously.

Senator Severson moved that the following names be added to the list of sponsors of SB 33: Hirsch, Farrell, McCallum, Aklestad, Lane, Boylan, Tveit, E. Smith, Gage, Hager, Lybeck, Anderson, Keating, Conover, Mohar, Stimatz, Hammond, Kolstad, Galt, Norman, Daniels, Shaw, Lynch, Goodover, Stephens, Crippen, Fuller, B. Brown, Story, Himsl, Thayer, Haffey, Williams, Halligan, Yellowtail, Eck, R. Manning, Bengtson, Harding, Mazurek, Pinsoneault, Van Valkenburg, Christiaens. Motion carried unanimously.

Senator Towe moved that the following names be added to the list of sponsors of SB 21: Christiaens, Regan, Jacobson, Lynch, Bengston, D. Brown, Vincent, Williams, Boylan, Asay, Conover, Crippen, Gage. Motion carried unanimously.

FIRST READING OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SJR 4, introduced by Lane, Ellerd. Referred to Committee on Agriculture, Livestock and Irrigation.

The following House bill was introduced, read first time, and referred to committee:

HB 1, introduced by Bardanouve. Referred to Committee on Finance and Claims.

ANNOUNCEMENTS

Senator Van Valkenburg announced that the Senate would convene at 10:30 a.m. on Friday, January 11, 1985, in order to hear the State of the State Address by Governor Schwinden.

Senator Blaylock introduced and thanked the pages for the week:
Charlene Sirockman of Valier
Robyn Wampler of Helena
Melinda Lane of Three Forks
Clayton Wold of Polson

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Mazurek moved that the following names be added to the list of sponsors of SJR 1: Crippen, Hager, Pinsoneault, Fuller, Towe, Jacobson, Lynch, Yellowtail, Lane, Lybeck, R. Manning, Hirsch, Blaylock, Regan, Eck, Neuman, Christiaens, B. Brown, Galt, Hammond, Goodover, Thayer, Farrell, Severson, Himsl, Keating, Story, Anderson, Shaw. Motion carried unanimously.

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., January 10, 1985.

Motion carried.

Senate adjourned at 3:19

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

FOURTH LEGISLATIVE DAY

Helena, Montana
January 10, 1985

Senate Chambers
State Capitol

Senate convened at 3:01 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except D. Manning, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the third legislative day, find the same to be correct.

R. Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (R. Manning, Chairman): 1/10/85
Correctly printed and placed on the members' desks: SB 15, SJR 3.

Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Lynch, Chairman): 1/10/85
SB 17, do pass. Report adopted.

LOCAL GOVERNMENT (Fuller, Chairman): 1/10/85
SB 7, do pass. Report adopted.
SB 31, do pass. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman): 1/9/85

SJR 1, introduced bill, be amended as follows:

1. Page 1, line 25.
Following: "and May"
Strike: "14"
Insert: "11"

And, as amended, do pass. Report adopted.

FINANCE AND CLAIMS (Regan, Chairman): 1/9/85
HB 1, be concurred in. Report adopted.

Adverse Committee Reports

STATE ADMINISTRATION (Haffey, Chairman): 1/9/85
SB 23, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 45

Noes: Bengtson, Daniels, Neuman, Towe.
Total 4

Excused: D. Manning.
Total 1

Absent or not voting: None.

Total 0

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House joint resolution passed and transmitted to the Senate for concurrence: 1/9/85

HJR 7, introduced by Menahan

MOTIONS

Senator Van Valkenburg moved that the temporary rules be temporarily suspended in order to place HB 1 on second reading this legislative day. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

Senator Gage moved that the following names be added to the list of sponsors of SB 67: Boylan, Hammond, Conover, Severson, Hirsch, Aklestad, Williams, Iverson, Bengtson, Thayer, Farrell, Galt, Keating, Smith, Hager, Kolstad, Lane, Goodover, McCallum. Motion carried unanimously.

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 48, introduced by Towe, M. Williams, (By Request of the Revenue Oversight Committee). Referred to Committee on Taxation.
SB 82, introduced by Daniels, Campbell, Lynch, Stimatz, Haffey, Menahan. Referred to Committee on State Administration.
SB 83, introduced by Farrell. Referred to Committee on Highways and Transportation.
SB 84, introduced by B. Brown, McCallum, Yellowtail, Spaeth, Fritz, Nelson, Addy. Referred to Committee on Education and Cultural Resources.
SB 85, introduced by B. Brown, Van Valkenburg, Crippen, Spaeth, Addy, Mercer, (By Request of the Board of Crime Control). Referred to Committee on Judiciary.
SB 86, introduced by Galt, Schye. Referred to Committee on Taxation.
SB 87, introduced by Mazurek. Referred to Committee on Judiciary.
SB 88, introduced by Aklestad. Referred to Committee on Local Government.

The following House bill was introduced, read first time, and referred to committee:

HJR 7, introduced by Menahan, Blaylock. Referred to Committee on Legislative Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Halligan in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 12 - That SB 12 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

SB 14 - That SB 14 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

SB 38 - That SB 38 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

SB 50 - That SB 50 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

HB 1 - That HB 1 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: Shaw.
Total 1

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Halligan moved the adoption of the committee report. Report adopted.

At the request of Senator Van Valkenburg, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the temporary rules be temporarily suspended in order to place HB 1 on third reading this legislative day. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: Shaw.
Total 1

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 1 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: Boylan, Shaw.
Total 2

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the Senate adjourn until 10:30 a.m., January 11, 1985.

Motion carried.

Senate adjourned at 3:54 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

FIFTH LEGISLATIVE DAY

Helena, Montana
January 11, 1985

Senate Chambers
State Capitol

Senate convened at 10:31 a.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except D. Manning, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (R. Manning, Chairman): 1/11/85
Signed by the President at 4:10 p.m., 1/11/85: HB 1.

Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 1/8/85
SB 65, do pass. Report adopted.

MOTIONS

Senator Van Valkenburg moved that the President be empowered to appoint a committee of two to serve with a like committee from the House of Representatives to escort His Excellency, the Governor, to the joint session at 11:00 a.m. this day. Motion carried unanimously.

The President appointed the following committee: Senators Haffey and Severson.

Senator Van Valkenburg moved that the President be empowered to appoint a committee of three to notify the Honorable House of Representatives that the Senate is ready to meet with them in joint session to receive the Governor's State of the State Address. Motion carried unanimously.

The President appointed the following committee: Senators Lybeck, Bengtson, B. Brown.

The committees were excused to perform their assigned duties.

Senator Van Valkenburg moved that the Senate recess, subject to the call of the chair, to await the report of the Select Committees. Motion carried unanimously.

Senate recessed at 10:35 a.m.

Senate reconvened at 10:39 a.m.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 5.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Sergeant-at-Arms announced the Honorable Committee from the House of Representatives is at the door.

Representatives Hand, Bradley, Nathe, and Harp, committee from the House of Representatives, informed the Senate that the House was ready to receive the State of the State address.

President Norman acknowledged the message and stated that the members of the Senate would be there shortly.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 3.

REPORTS OF SELECT COMMITTEES

The Sergeant-at-Arms announced the committee of three to notify the House of Representatives that the Senate was ready to meet with the House of Representatives for the State of the State address was at the door. Senators Bengtson, Lybeck, and B. Brown reported they had informed the House that the Senate was ready to meet with them in joint session to receive the message of the Honorable Governor.

The President thanked the committee and the committee was discharged.

MOTIONS

Senator Van Valkenburg moved that the Senate recess and proceed to the House of Representatives for the State of the State Address and that the Senate reconvene upon completion of the Governor's message. Motion carried unanimously.

Senate recessed at 10:44 a.m.

SPECIAL ORDERS OF THE DAY

Members of the Senate were escorted to the House chamber.

The Legislature being in joint session, Speaker Vincent gave the Chair to President Norman.

Senator Van Valkenburg moved that the body resolve itself into a joint session for the purpose of receiving the State of the State Address from His Excellency, the Honorable Ted Schwinden, Governor of the State of Montana. Motion carried unanimously.

Senator Van Valkenburg moved that the President be authorized to appoint a committee of four to notify His Excellency, the Governor, that the Legislature is in joint session and ready to receive his State of the State Address. Motion carried unanimously.

President Norman appointed Senators Haffey and Story and Representatives Donaldson and Howe and they were discharged to escort the Governor to the House chamber.

Captain Revious and the Honor Guard members of the Montana Army National Guard posted the Colors.

His Excellency, Ted Schwinden, was escorted to the rostrum.

Father Noonan gave the invocation.

After being presented to the members of both houses by the President of the Senate, Governor Schwinden delivered the following address:

STATE OF THE STATE MESSAGE
PRESENTED TO THE FORTY-NINTH LEGISLATURE
AND TO THE PEOPLE OF MONTANA
BY
GOVERNOR TED SCHWINDEN
FRIDAY, JANUARY 11, 1985, AT, 11 A.M.

Mr. President, Mr. Speaker, members of the Forty-Ninth Legislature, Mr. Chief Justice and Justices of the Supreme Court, elected state officials and people of Montana.

As 1985 begins, Montana straddles two centuries. While 1989 officially marks our state's centennial, in reality our Treasure State has already entered a new era.

Montana's first century was characterized by resource exploitation, by economic dominance from outside sources, by burgeoning government. Our second century must be characterized by responsible economic expansion, rational resource development and controlled government growth.

Two years ago, I described the Build Montana program as "a way to prepare Montana to move ahead." With solid legislative endorsement of Build Montana in 1983, Montana is moving ahead. Build Montana is pointing the state toward a healthier and more diversified economy — an economy, and a political system, controlled by Montanans.

Although our economy is expanding, the Legislature's task remains difficult. Tax indexing and tax reductions have combined to limit the growth of state revenues and of state government.

The people of Montana — and this governor — applaud that trend.

This administration will respect the spending priorities set by the Legislature through the appropriation process. I will insist, however, on protecting the excellent fiscal reputation of this state by maintaining a positive general fund ending balance. The executive budget proposes preemption of the repealed 8¢ federal cigarette tax as a dedicated reserve to achieve that goal.

The crisis in agriculture — from the beet fields of the Yellowstone to the wheat fields of the Hi-Line — grows worse daily. National and international markets for our energy and mineral resources continue to be unstable. Pending federal budget actions, desperately needed to protect our nation's future, will inevitably impact the states. Given the level of economic uncertainty, a reasonable surplus is an imperative as we confront the new challenges of our second century.

While fiscal reality mandates caution, progress demands risk — from public, as well as private, enterprise. "Change" will be the byword of Montana's second century just as "change" will characterize civilization's Twenty-First century. Montana must be prepared to adapt, now, to the innovations that will inevitably occur in business, labor, government, education, health care and all our major institutions. Bold new ventures may well be limited by scarce public resources. But, as Theodore Roosevelt once advised, "Do what you can ... with what you've got."

In that spirit, I ask the Legislature to favorably consider several recommendations — initiatives that challenge the status quo; proposals that anticipate, and respond to, the competitive world of tomorrow.

The Science and Technology Advisory Council has called for a unique public-private sector alliance to invest in technology research and development. I urge your careful consideration of its innovative proposal, which would derive a portion of its funding from the coal severance tax trust fund and the remainder from private funding sources. We may not be able to conquer brave new worlds, but we must encourage bright new enterprise.

The Council envisions an exciting public-private partnership — nourished by the spirit of cooperation that has blossomed under Build Montana. To strengthen that partnership, I propose the construction of a Centennial Center on the capitol campus — a Center that will help bridge the distance between Montana's first and second centuries. The Centennial Center would display "Made in Montana" products and function as a visitors' center for tourists. In the spirit of partnership, Burlington Northern, whose own history — and future — is inextricably tied to that of our state, has agreed to contribute $100,000 for design and planning efforts; the state

would appropriate $25,000. The Centennial Center would permanently reflect our pride in Montana products and Montana history and our confidence in Montana people and Montana's future.

For nearly two decades the coal industry — the revenue it produces, the reclamation it requires — has occupied the center of Montana's economic and political stage. Today, I issue a novel challenge to that industry — a two-year "window of opportunity" to produce new markets. I recommend that the State of Montana hold fast to its current 30 percent coal severance tax on current production and on new contracts already in place. But, on coal marketed to customers beyond that base level, I propose that the State of Montana rebate a portion of severance taxes paid by producers as an incentive to expand coal production — and Montana's tax base. It's time the producers, the haulers and the utilities put up — or shut up!

In the early Seventies as the Commissioner of State Lands, I developed the concept of the Resource Indemnity Trust Fund. I was convinced then — and now — that we should set aside for future Montanans a portion of gross revenues from non-renewable resources. Governor Judge recommended creation of the Resource Indemnity Trust Fund in his 1973 State of the State Address, and Montanans subsequently gave the fund Constitutional status. I propose we use the interest from that Trust Fund to help mitigate damage caused by past resource extraction and to address other problems that current laws do not cover. Nearly $9 million will be available during the next two years for projects that will demonstrate Montanans' conviction that resource development and a decent environment are compatible. Montana's active participation in the International Joint Commission's deliberation of the Cabin Creek issue in British Columbia is an example of an appropriate project.

Montana's comprehensive water development program, authorized by the 1981 Legislature, is moving forward. The process of adjudicating Montana's water claims is proceeding on schedule. The Legislature and the water courts deserve commendation for establishing a mechanism to assure adequate water supplies for this state's future needs. I hope this Legislature will also determine public policy on the sensitive issue of water marketing.

The carbide lamp, the horse-drawn plow and the crosscut saw have long since been replaced by modern technology. But the basic industries they represent — mining, agriculture, forest products — continue to provide the primary impetus for our economy. Only one resource is more important, and that is our people — their talents and imagination, their enthusiasm and productivity.

It is for people that government exists — it is to people that government must respond. Montanans want a healthy economy, but they want to enjoy its benefits in an environment they can point to with pride. Montanans have put in place the framework of laws that help assure a quality natural environment. They also recognize that good education and good health care are essential to their quality of life.

Quality inevitably carries a price tag, and in Montana the price tag for public education approaches $5,000 per student per year! Clearly, our citizens are willing to spend the necessary funds to maintain a quality educational system. To help that process, the executive budget transfers $7.6 million from the Coal Board to the Foundation Program. The challenge now, with tight public budgets, is to maintain quality while controlling costs. And, with more than $840 million allocated to public education in the state in Fiscal Year '84, Montanans must be assured that education dollars are well-spent. Excellence in education is not only spending the most money; it's also getting the most for the money spent.

Our Excellence Fund proposal encourages accountability by testing new programs in individual classrooms first, before instituting them statewide. Another accountability tool would be an evaluation of higher education in Montana modeled after the Governor's Council on Management. In 1982, state government benefited from an in-depth private sector evaluation of programs and operations. As a result of the Council's work, state government has saved $20 million a year while streamlining its operations. I encourage the Board of Regents to consider a similar examination of the University System to determine how best to put Montanans' money to work for higher education.

In 1983, $906.3 million were spent on health care in Montana — nearly 40 percent on hospital care. Controlling health care costs is a little like the Lilliputians capturing Gulliver — a giant task, but not an impossible one. And, like Gulliver, it must be attacked from several directions.

This month I will create a public-private sector council charged with identifying the components of rising health care costs and recommending solutions. The issue also deserves continuing legislative scrutiny because major decisions relating to health care costs confront this state. Together we must determine whether public policies aggravate those costs.

Education and health care consume an amount equal to 20 percent of Montanans' total personal income. We must examine and re-examine those costs to determine how to maintain, for the average citizen, quality education and quality health care.

As we begin our second century, we Montanans have laid out an ambitious agenda. We wouldn't have it any other way. To the outsider, it may appear that Montanans are asking for the sky. We are not. We believe our goals are realistic and achievable. The indomitable Montana spirit was summed up by a Chicago Tribune reporter last summer who came here to go fishing and received a healthy dose of Montana hospitality in return.

"Montana wants the best of both worlds," he wrote, "more jobs and better business without endangering the mountain wilderness, the clear trout streams, the clean air under the Big Sky. The people here have gambled that they can put this combination together. Ask them if they think they can win the gamble and you are likely to get the reply, 'you betcha.'"

We stand today between two centuries. Fired by imagination and fueled by optimism, Montanans are capable of forging a future that captures the best of both worlds for both present and future generations.

Can we do it? 'You betcha'!

Father O'Donnell gave the benediction.

The Governor was escorted from the rostrum.

Senator Van Valkenburg moved that the 49th Legislature, in joint session, authorize the publication of 500 copies of Governor Schwinden's State of the State Address. Motion carried unanimously.

Senator Van Valkenburg moved that the joint session of the 49th Legislature be adjourned. Motion carried.

Joint session adjourned at 11:26 a.m.

MOTIONS

Senator Van Valkenburg moved that the Senate recess until the hour of 3:00 p.m. this legislative day. Motion carried unanimously.

Senate recessed at 11:36 a.m.

Senate reconvened at 3:05 p.m., Senator Stimatz excused at this time.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the fourth legislative day, find the same to be correct.

R. Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (R. Manning, Chairman): 1/10/85
Correctly printed and placed on the members' desks: SB 7, SB 17, SB 31, SJR 1.
Considered correctly engrossed: SB 12, SB 14, SB 38, SB 50.

Report adopted.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Boylan, Chairman): 1/11/85
SB 68, do pass. Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 1/11/85
SB 39, do pass. Report adopted.
SB 40, do pass. Report adopted.

JUDICIARY (Mazurek, Chairman): 1/11/85
SB 5, do pass. Report adopted.
SB 24, do pass. Report adopted.
SB 26, introduced bill, be amended as follows:

1. Page 2, line 14.
Following: "reservation"
Insert: "as established by act of congress"

2. Page 3, line 15.
Following: "reservation"
Insert: "as established by act of congress"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 1/11/85
SB 13, do pass. Report adopted.

TAXATION (Towe, Chairman): 1/11/85
SB 44, do pass. Report adopted.
SB 46, do pass. Report adopted.

MOTIONS

Senator Lynch moved that the following names be added to the list of sponsors of SB 19: Waldron, Bergene, Jacobson, Keenan, Haffey, Stimatz, Christiaens, Neuman, Regan, Eck, Towe, Kolstad, B. Brown, Hager, Stephens, Crippen. Motion carried unanimously.

Senator Blaylock moved that SB 65 be taken from printing and that it be referred to the Committee on Legislative Administration. Motion carried unanimously.

Senator Neuman moved that the following names be added to the list of sponsors of SB 11: Towe, Daniels. Motion carried unanimously.

Senator Towe moved that SB 55 be taken from the Committee on Taxation and that it be rereferred to the Committee on Judiciary. Motion carried unanimously.

Senator Van Valkenburg moved that SJR 3 be placed below SB 15 on second reading this day. Motion carried unanimously.

Senator Hager moved that the following names be added to the list of sponsors for SB 72: Rehberg, Nelson, Winslow, Kitselman, Hannah. Motion carried unanimously.

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 101, introduced by Conover. Referred to Committee on Highways and Transportation.
SJR 5, introduced by Mazurek, Fuller, Haffey, Miles, J. Brown, Grady, Harper, Marks, Donaldson. Referred to Committee on State Administration.
SB 89, introduced by Mazurek. Referred to Committee on Judiciary.
SB 90, introduced by Mazurek, Fuller. Referred to Committee on Judiciary.
SB 91, introduced by Mazurek, (By Request of the Montana Supreme Court and the Montana Supreme Court Commission on the Rules of Evidence). Referred to Committee on Judiciary.
SB 92, introduced by Christiaens, Swift, Connelly, Lane, Kadas, J. Brown, Harrington, Lynch, Williams. Referred to Committee on Local Government.
SB 93, introduced by Christiaens, Connelly, Kadas, Lane, J. Brown, Lynch, Harrington, Williams. Referred to Committee on Local Government.
SB 94, introduced by McCallum. Referred to Committee on Local Government.
SB 95, introduced by Lynch, (By Request of the Department of Labor and Industry). Referred to Committee on Labor and Employment Relations.
SB 97, introduced by Crippen, Shaw, (By Request of the Department of Highways). Referred to Committee on Judiciary.
SB 98, introduced by Crippen, Shaw, (By Request of the Department of Highways). Referred to Committee on Judiciary.
SB 99, introduced by Lynch. Referred to Committee on Taxation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Gage in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 15 - That SB 15 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.

Total 0

Excused: D. Manning, Stimatz.
Total 2

Absent or not voting: None.
Total 0

SJR 3 - That SJR 3, second reading copy, be amended as follows:

1. Page 7, line 17.
Following: line 17
Insert: "All staff employed jointly shall be appointed by the joint Legislative Administration Committees."

2. Page 38, line 2.
Following: "committees"
Insert: ", joint committees,"

3. Page 38, line 3.
Following: "meetings"
Strike: "and, at"
Insert: ". The chairman of each such committee must designate a secretary to take and transcribe minutes. The chairman must authenticate the minutes by his signature. At"

4. Page 38, line 4.
Strike: "shall make an original and two complete copies and"
Insert: "the chairman"

5. Page 38, line 5.
Following: "original"
Insert: "and two complete copies"

6. Page 38, line 6.
Following: "Senate"
Strike: "for delivery"
Insert: ". The original minutes shall be delivered"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: D. Manning, Stimatz.
Total 2

Absent or not voting: None.
Total 0

That SJR 3, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch,

Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: D. Manning, Stimatz.
Total 2

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Gage moved the adoption of the committee report. Report adopted.

Senator Van Valkenburg moved that the Senate adjourn until 9:00 a.m., January 12, 1985.

Motion carried.

Senate adjourned at 3:39 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

SIXTH LEGISLATIVE DAY

Helena, Montana
January 12, 1985

Senate Chambers
State Capitol

Senate convened at 9:03 a.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except D. Manning, Story, Thayer, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (R. Manning, Chairman): 1/12/85
Correctly printed and placed on the members' desks: SB 24, SB 26, SB 39, SB 44, SB 46, SB 68.
Correctly engrossed: SJR 3.

Report adopted.

COMMITTEES (Jacobson, Chairman): 1/11/85

Hereby appoint to the Capitol Building and Planning Committee the following members: Allen Kolstad, Dorothy Eck.

Hereby appoint to the Legislative Council the following member: J.D. Lynch.

Report adopted.

EDUCATION AND CULTURAL RESOURCES (Blaylock, Chairman): 1/11/85

SB 18, introduced bill, be amended as follows:

1. Page 2, line 24.
Following: "state"
Insert: "clearly and explicitly"

2. Page 5, line 23.
Following: line 22.
Strike: "or without"

And, as amended, do pass. Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 1/12/85
Recommend that at the close of business January 12, 1985, the following employment be terminated:

Melinda Lane ..... Page
Clayton Wold ..... Page
Robin Wampler ..... Page
Charlene Sirokman ..... Page

Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman): 1/11/85

SB 71, do pass. Report adopted.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 1/11/85

HB 7, introduced by Marks

HB 15, introduced by M. Williams

HB 78, introduced by M. Williams

HB 109, introduced by Schye

MOTIONS

Senator Van Valkenburg moved that SJR 3 be taken from engrossing and placed on second reading this legislative day. Motion carried unanimously.

Senator Towe moved that the following names be added to the list of sponsors of SB 54: Regan, E. Smith, Bergene, Eck, Bengtson. Motion carried unanimously.

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 96, introduced by Gage. Referred to Committee on Business and Industry.

SB 100, introduced by Daniels, Neuman, Lane, Conover, Keyser, O'Connell, (By Request of the Joint Interim Subcommittee No. 3). Referred to Committee on State Administration.

The following House bill was introduced, read first time, and referred to committee:

HB 15, introduced by M. Williams, (By Request of the Department of Labor & Industry). Referred to Committee on Labor and Employment Relations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Mazurek in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 7 - That SB 7 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: D. Manning, Story, Thayer.
Total 3

Absent or not voting: None.
Total 0

SB 17 - That SB 17 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: D. Manning, Story, Thayer.
Total 3

Absent or not voting: None.
Total 0

SB 31 - That SB 31 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: D. Manning, Story, Thayer.
Total 3

Absent or not voting: None.
Total 0

Senator Haffey in the Chair.

SJR 1 - That SJR 1 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: D. Manning, Story, Thayer.
Total 3

Absent or not voting: None.
Total 0

Senator Mazurek in the Chair.

SJR 3 - That SJR 3, second reading copy, be amended as follows:

1. Page 34, lines 13 through 21.

Strike: lines 13 through 21 in their entirety

2. Page 34, lines 22 and 23.
Following: "bills" on line 22
Strike: "originating in the House"

3. Page 34, line 23.
Following: "transmitted"
Strike: "to the Senate"
Insert: "from the original house"

4. Page 34, line 25.
Following: "in the"
Strike: "Senate"
Insert: "receiving house"

5. Page 35, lines 1 through 5.
Following: "70th day." on line 1
Strike: the remainder of line 1 and lines 2 through 5 in their entirety

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: D. Manning, Story, Thayer.
Total 3

Absent or not voting: None.
Total 0

That SJR 3, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: D. Manning, Story, Thayer.
Total 3

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the

Chair. Chairman Mazurek moved the adoption of the committee report. Report adopted.

At the request of Senator Van Valkenburg, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the temporary rules be temporarily suspended in order to place SJR 3 on third reading this legislative day. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: D. Manning, Story, Thayer.
Total 3

Absent or not voting: None.
Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 12 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 46

Noes: Himsl.
Total 1

Excused: D. Manning, Story, Thayer.
Total 3

Absent or not voting: None.
Total 0

SB 14 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: D. Manning, Story, Thayer.
Total 3

Absent or not voting: None.
Total 0

SB 38 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: D. Manning, Story, Thayer.
Total 3

Absent or not voting: None.
Total 0

SB 50 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: D. Manning, Story, Thayer.
Total 3

Absent or not voting: Blaylock.
Total 1

SJR 3 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: D. Manning, Story, Thayer.
Total 3

Absent or not voting: None.
Total 0

MOTIONS

Senator Halligan moved that SB 66 be taken from the Committee on Business and Industry and that it be rereferred to the Committee on Judiciary. Motion carried unanimously.

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., January 14, 1985.

Motion carried.

Senate adjourned at 9:43 a.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

SEVENTH LEGISLATIVE DAY

Helena, Montana
January 14, 1985

Senate Chambers
State Capitol

Senate convened at 3:02 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except D. Manning, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journals for the fifth and sixth legislative days, find the same to be correct.

R. Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (R. Manning, Chairman): 1/14/85
Correctly printed and placed on the members' desks: SB 5, SB 13, SB 18, SB 40, SB 71.
Considered correctly engrossed: SB 7, SB 15, SB 31.

Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 1/14/85
SB 6, do pass. Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 1/14/85
Recommend that at the beginning of business January 14, 1985, the following be employed:

Christianna Dvarishkis ..... Page
Yvonne Vandesandt ..... Page
Donna Savail ..... Page
Robin Kolodzi ..... Page
Michelle Eble ..... Page
Kaye Poston ..... Page
Mike Stern ..... Page
K. Lynn Martin ..... Page

Report adopted.

TAXATION (Towe, Chairman): 1/12/85
SB 42, introduced bill, be amended as follows:

1. Page 1, lines 18 and 19.
Following: "(i)"
Strike: remainder of subsection in its entirety
Insert: "that portion of the federal income tax and motor vehicle fee allowed as a deduction under 15-30-121 or 15-30-131 which is attributable to income from a trade or business; and"

2. Page 2, line 1.
Following: ";"
Strike: "and"

3. Page 2, line 3.
Following: "income"
Strike: "."
Insert: ";"

4. Page 2.

Following: line 3.
Insert: "(iii) state income tax; and (iv) any other nonbusiness deductions allowed under 15-30-121 in excess of nonbusiness income."

And, as amended, do pass. Report adopted.

SB 47, introduced bill, be amended as follows:

1. Title, line 6.
Following: "INCOME"
Insert: "AND LOSSES"

2. Page 3, line 3.
Following: "income"
Insert: "and losses"

And, as amended, do pass. Report adopted.

COMMUNICATIONS AND PETITIONS

President Norman introduced former Senator Cornie Thiessen of Richland County.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 1/12/85

HB 3, introduced by Marks

HB 4, introduced by Manuel

HB 13, introduced by Kennerly

HB 20, introduced by Quilici

HB 29, introduced by M. Williams

HB 52, introduced by Manuel

HB 56, introduced by Gilbert

HB 94, introduced by Ernst

MOTIONS

Senator Goodover moved that SB 17 be taken from engrossing and placed on second reading for consideration this legislative day for the purpose of an amendment. Motion carried unanimously.

Senator Aklestad moved that the following names be added to the list of sponsors of SB 75: E. Smith, Thayer, Tveit, Boylan, Keating, Galt, Hammond, Conover, Hirsch. Motion carried unanimously.

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 34, introduced by Norman, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Taxation.

SB 35, introduced by Norman, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Taxation.

SB 36, introduced by Norman, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Taxation.

SB 102, introduced by Blaylock. Referred to Committee on Local Government.
SB 103, introduced by Jacobson, Christiaens, Waldron, Boylan, Gage, Thayer. Referred to Committee on Business and Industry.
SB 104, introduced by Halligan. Referred to Committee on Judiciary.
SB 105, introduced by Regan, Van Valkenburg, Jacobson, Gage, McCallum. Referred to Committee on Judiciary.
SB 106, introduced by Shaw. Referred to Committee on Taxation.
SB 107, introduced by Shaw, (By Request of the Montana Highway Patrol). Referred to Committee on Highways and Transportation.
SB 108, introduced by Shaw. Referred to Committee on Highways and Transportation.
SJR 6, introduced by Blaylock, Vincent. Referred to Committee on State Administration.
SJR 7, introduced by Shaw. Referred to Committee on Judiciary.

The following House bills were introduced, read first time, and referred to committees:

HB 3, introduced by Marks, (By Request of the Joint Interim Subcommittee No. 2). Referred to Committee on Finance and Claims.
HB 4, introduced by Manuel, (By Request of the Code Commissioner). Referred to Committee on State Administration.
HB 7, introduced by Marks, (By Request of the Legislative Council). Referred to Committee on State Administration.
HB 13, introduced by Kennerly, (By Request of the Select Committee on Indian Affairs). Referred to Committee on Judiciary.
HB 20, introduced by Quilici, (By Request of the Department of Highways). Referred to Committee on Highways and Transportation.
HB 29, introduced by M. Williams, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Business and Industry.
HB 52, introduced by Manuel, (By Request of the Board of Crime Control). Referred to Committee on Judiciary.
HB 56, introduced by Gilbert. Referred to Committee on Taxation.
HB 78, introduced by M. Williams. Referred to Committee on State Administration.
HB 94, introduced by Ernst, (By Request of the Division of Motor Vehicles). Referred to Committee on Highways and Transportation.
HB 109, introduced by Schye. Referred to Committee on Judiciary.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Himsl in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 24 - That SB 24 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

SB 26 - That SB 26 do pass. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 44

Noes: Aklestad, Boylan, McCallum, E. Smith, Tveit.
Total 5

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

SB 39 - That SB 39 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: Boylan, Keating.
Total 2

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

SB 44 - That SB 44 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 43

Noes: Gage, Goodover, Kolstad, Shaw, Smith, Tveit.
Total 6

Excused: D. Manning.
Total 1

Absent or not voting: None.

Total 0

SB 46 - That SB 46 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

SB 68 - That SB 68 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

SB 17 - That SB 17, second reading copy, be amended as follows:

1. Page 4, line 20.
Following: "~~or~~"
Insert: "33-1-706 or"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

That SB 17, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Himsl moved the adoption of the committee report. Report adopted.

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., January 15, 1985.

Motion carried.

Senate adjourned at 4:15 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

EIGHTH LEGISLATIVE DAY

Helena, Montana
January 15, 1985

Senate Chambers
State Capitol

Senate convened at 3:00 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except D. Manning, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the seventh legislative day, find the same to be correct.

R. Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (R. Manning, Chairman): 1/15/85
Correctly printed and placed on the members' desks: SB 6, SB 42, SB 47.
Correctly engrossed: SB 17.
Considered correctly engrossed: SB 24, SB 26, SB 39, SB 44, SB 46, SB 68.

Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 1/14/85
SB 65, do pass. Report adopted.
HJR 7, be concurred in. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman): 1/14/85
SB 16, introduced bill, be amended as follows:

1. Page 19, line 25 through page 20, line 1.
Strike: "Sections 50-39-201" through "and"
Insert: "Section"
Following: "MCA,"
Strike: "are"
Insert: "is"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 1/15/85
SB 8, introduced bill, be amended as follows:

1. Page 2, line 1.
Following: lines 1 and 2
Strike: "."
Insert: ", appointed by the governor as prescribed in 2-15-124."

2. Page 2, line 3.
Following: "shall"
Strike: ", in accordance with 2-15-124,"

3. Page 2, lines 9 and 10.
Following: "2-15-1010" on line 9
Strike: remainder of lines 9 and 10 through "senate"

And, as amended, do pass. Report adopted.

SB 9, do pass. Report adopted.

SB 78, introduced bill, be amended as follows:

1. Page 3, line 2.
Following: "$20,000"
Insert: ", except for audits as provided under 19-11-206"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 1/14/85

HB 5, introduced by Manuel

HB 8, introduced by Marks

HB 32, introduced by Keenan

HB 42, introduced by Manuel

HB 44, introduced by Waldron

HB 76, introduced by M. Williams

HB 77, introduced by M. Williams

HB 87, introduced by Quilici

MOTIONS

Senator Mazurek moved that consideration on SB 18, on second reading this legislative day, be passed. Motion carried unanimously.

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 109, introduced by Fuller, Ernst, Spaeth, J. Brown, Tveit, (By Request of the Montana Historical Society). Referred to Committee on Education and Cultural Resources.

SB 110, introduced by Mazurek, Halligan. Referred to Committee on Judiciary.

SB 111, introduced by Story. Referred to Committee on State Administration.

SB 112, introduced by Story. Referred to Committee on Natural Resources.

SB 113, introduced by Story. Referred to Committee on Highways and Transportation.

SB 114, introduced by Story. Referred to Committee on State Administration.

SB 115, introduced by R. Manning, (By Request of the Public Employees' Retirement Board). Referred to Committee on State Administration.

SB 116, introduced by Aklestad, Gould, Menahan, Halligan, Pinsoneault, Kolstad, Keenan, Hart, Addy, Holliday, Iverson, Lory, Haffey, Schye, Koehnke, Ream, J. Moore, Galt, McCallum, Abrams. Referred to Committee on Local Government.

SB 117, introduced by Himsl, Gage, Farrell, Hammond, (By Request of the Department of Administration). Referred to Committee on Education and Cultural Resources.

SB 118, introduced by McCallum. Referred to Committee on Local Government.

SJR 8, introduced by Story. Referred to Committee on State Administration.

The following House bills were introduced, read first time, and referred to committees:

HB 5, introduced by Manuel, (By Request of the Legislative Council). Referred to Committee on State Administration.
HB 8, introduced by Marks, (By Request of the Code Commissioner). Referred to Committee on Local Government.
HB 32, introduced by Keenan, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Taxation.
HB 42, introduced by Manuel, (By Request of the Code Commissioner). Referred to Committee on Taxation.
HB 44, introduced by Waldron. Referred to Committee on Judiciary.
HB 76, introduced by M. Williams. Referred to Committee on Local Government.
HB 77, introduced by M. Williams. Referred to Committee on Local Government.
HB 87, introduced by Quilici, (By Request of the Department of Military Affairs). Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Fuller in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 5 - That SB 5 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

SB 13 - That SB 13 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

SB 40 - That SB 40 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

SB 71 - That SB 71 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: McCallum.
Total 1

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Fuller moved the adoption of the committee report. Report adopted.

At the request of Senator Lynch, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

LABOR AND EMPLOYMENT RELATIONS (Lynch, Chairman): 1/15/85
HB 15, be concurred in. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 7 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

SB 15 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

SB 31 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

SJR 1 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek,

McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., January 16, 1985.

Motion carried.

Senate adjourned at 3:37 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

NINTH LEGISLATIVE DAY

Helena, Montana
January 16, 1985

Senate Chambers
State Capitol

Senate convened at 3:02 p.m., President Norman presiding. Invocation by the Chaplain, Pastor Monsen. Pledge of Allegiance to the Flag.

Roll call. All members present except D. Manning, Severson, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the eighth legislative day, find the same to be correct.

R. Manning, Chairman

SPECIAL ORDERS OF THE DAY

U.S. Western District Representative Pat Williams was escorted into the Senate Chambers by Senators Lynch and McCallum. He then presented the following:

SPEECH BY CONGRESSMAN PAT WILLIAMS BEFORE THE 49TH MONTANA SENATE JANUARY 16, 1985

We Montanans, we Americans, refer to this nation as the Union. That term connotes more than just the linkage of the fifty states. It signifies our bonds as caring neighbors, compassionate friends. It also refers to the relationship between our various levels of government: local, county, state, and federal.

Our federal constitution sets out, for each elected official, the basic expectations and demands of our people. They want their government to establish justice, provide for the common defense, promote the general welfare, and secure the blessings of liberty throughout the land.

For two centuries now the various levels of government have been sorting out their proper roles. We have identified concerns which can best be met on the local level, matters which require state responsibility, and finally, preserved for the national government are those difficulties common to all of our people and best reserved for federal prescription. Thus we have developed a union, a partnership, between the nation's various levels of government.

Today, on Pennsylvania Avenue, as well as on Main Street across America, that partnership is being questioned and scrutinized. People want to know if the traditional governmental linkages are still working efficiently and effectively. They want to be sure they're getting their money's worth, and they particularly want to review whether the federal government is preserving but not violating its proper authority.

That authority, the federal government's role in our society, has expanded during the past half century. Many, and I include myself among them, believe it is in the best interest of American political vitality to reexamine the federal role.

Many Americans, and I also count myself among them, are convinced that the expanded federal role of the past half century has paid enormous dividends in the progress of our American society:

Fifty years ago only one-fourth of American young people graduated from high school. Today that figure is 80 percent.

Fifty years ago less than half of America's families owned a home. Today almost 70 percent are homeowners.

Fifty years ago if you were old and sick, you were also without pension or health care. Today there's Social Security and Medicare.

During the past half century this nation has literally wrought economic and social miracles. In no small part that progress is due to local, state and federal governments that met the great challenges of the times.

Now this nation is at a political watershed, determining once again the proper authority for our various governments. And you legislators are being required to join in that discussion with your voices and your votes. The President will soon offer a budget which basically redefines the boundaries of federal, state, and local responsibilities. In effect, those budgets require you to either abandon what have been traditional federal commitments or pay for them yourselves.

As a legislative observer, and from my two terms in the state House, I understand that you need to know as soon as possible what those changes are likely to be. While I can't tell you that today—for it is at least two weeks before the President's budget will be formally submitted, and months before a final Congressional budget is adopted—I can share with you information about the most critical changes and how those changes affect this state and thus your decisions during the next three months. And, by the way, we know with considerable specificity what the President's budget contains and also what the Republican leadership in the Senate has tentatively recommended. To date, with the exception of defense, those two budgets are almost identical.

BUILD MONTANA

This Legislature and Montana's Governor understand the importance of building Montana's economy. All of us are especially concerned about the vitality of our 'home grown' small businesses. To that end, the Build Montana Program has been created and funded. One goal of the program is to provide inexpensive loans. In that way, Build Montana mirrors the very similar federal effort administered by the Small Business Administration.

The Build Montana Program provides 23 million very important loan dollars. However, Montana's small businesses receive 350% more than that from the federal Small Business Administration loan program. One can quickly determine that a cut of 30% eliminates the loan benefits of Build Montana. The President doesn't propose just to cut SBA—he proposes killing it.

REVENUE SHARING

The President's budget and the budget being developed by the Senate Republicans would eliminate the general revenue sharing program eight months and two weeks from today. This year Montana's cities and counties will receive $19 million of revenue sharing funds. If this program is eliminated, I assume the county officials will be coming to this body asking for increases in mill levy allowances and for State dollars to replace the lost funds.

EDUCATION

Historically, the federal government's concern and involvement with education has been limited to assuring the people's access to their schools. The

federal effort has thus been to provide equity in education. The federal involvement has not, except in very limited circumstances, extended to the lifting of the quality of our schools.

Here in Montana, the federal share of education costs has typically been about 10 percent. Four years ago that share fell to about 6 percent. Today it is back to 8 percent. That amounts to a contribution for the current year of more than $40 million for our state.

Under the Administration's budget proposal, Montana could end up with a loss of about $6 million in education funds. That's a 14 percent cut.

According to all reports I have heard and read, you will be hard pressed this year to adequately fund the state's education system. Reduction of federal dollars will make your task even more difficult.

IMPACT AID

A close look at the federal Impact Aid which Montanans receive for our schools reveals some chilling prospects.

Assistance to schools located on or near federal lands is of critical importance to us. As you know, that aid compensates for the loss of our tax base due to the Federal ownership of 93 million acres of land in this State. For the school district of Great Falls alone the proposed cuts mean a loss of $33,000.

HEALTH

Along with education, Americans have accepted as a critical public responsibility the effort to do what we can to assure each other's good health. Our federal neighbor is now questioning what obligation it should bear in this effort. What this means to Montana is cuts in services such as the Maternal and Child Health Care Program.

Those services are used by every county in Montana, without exception. A total of one million federal dollars provides the primary or sole support of child immunization in 12 Montana counties, well-child clinics in 23 counties, dental health care in twelve, and child nutrition programs in 8 counties. Eight thousand Montana school children are served by school nurses who are salaried with those dollars. The Administration proposal is to cut this help by one-third. Can the counties make up the difference; will this legislature help? Or is the health of our citizens no longer to be a proper concern for the public?

POVERTY

In this, the richest of all nations, should the poverty of many of our people continue to be a concern? Is its reduction a proper matter for the attention of the federal government? Few, if any, on either side of the aisles—either here or in the Congress—would argue that the egregious effects of poverty should be allowed to continue unchecked.

For a quarter of a century now the federal government has directly and aggressively attacked poverty. Some say the War on Poverty has been lost. They are wrong. Retreat is different than defeat. Previous to the federal anti-poverty effort, 22 percent of the American people lived in poverty. By 1980 that rate was cut in half. Tragically, during the past four years we have lost ground, including here in Montana, where the rate has now climbed to 15 percent from a low of 12 percent in 1980. Our state now receives $1 million a year for this effort—that compares, by the way, to $2 million in 1980.

With that $1 million the Montana Human Resource Development Councils administer $11.5 million of anti-poverty efforts including Head Start, Low-Income Energy Assistance, and commodity food distribution. For example, the ten Montana Human Resource Development Councils distributed that three and a half million pounds of cheese during the depths of the recent recession. The proposed budget eliminates every dollar of this money. Will those administrative costs be assumed by other state agencies?

JOB CORPS

The budget also eliminates all Job Corps Centers by October of next year, with the Centers in Anaconda and Darby closed by this October. Currently, Job Corps spends more than $8 million for operations and services in Montana. Their loss could affect more than 600 jobs in Montana communities.

AGRICULTURE

Our state is very dependent upon the economic vitality of our farmers, ranchers and dairy folks. The budget proposes to cut deficiency payments 60 percent next year and 80 percent by 1988.

For the first eleven months of 1984, Montana dairy farmers received approximately $1 million in dairy price supports. The administration's proposal would phase out the dairy price support program completely.

Our State received $11 million for soil and water conservation programs. The President's proposal would cut that to $2 million. The $65 million we receive under the Farmers Home Administration would be cut in half.

The Cooperative Extension Service, which provides $2 million in Montana, would be cut by 10 percent.

Last year Montanans suffered $144 million worth of crop losses which were covered by the Federal Crop Insurance Program. That coverage is scheduled for elimination.

I know, the litany is repetitive. The point, of course, is critical: if the federal government abandons its long commitment to those who work the land, who will assume it? How can lightly populated states with our limited tax bases shoulder that load?

INDIANS

To understand the true picture, we of course can't look only to direct budget items. There are those functions which the federal and state governments share, but then there are also those items which are solely federal in nature and not under the states' jurisdiction. This does not mean, however, that there is not a significant impact on the state.

The Indian reservations are solely a federal obligation and yet a significant amount of money comes to Montana through our seven Indian reservations, and through our Indian citizens living off the reservations.

Can the eight counties on which lie the reservations pick up the $45 million which serve the health needs of our 34,000 Indian citizens, costs now borne by the Indian Public Health Service—or must the first Americans be the only Americans not eligible for adequate health care?

And can the 14 school districts of the reservations find the $640,000 in proposed slashes to their schools?

FEDERAL EMPLOYEES

You have probably heard of the proposal to cut 5 percent from the salaries of those Montanans who work for the federal government. In the

Regional Forest Service offices in Missoula alone, this would mean a $1.5 million loss. For all government employees in Montana, it is a loss of $10 million in wages.

The loss is not confined to federal employees alone. Those are dollars that are spent on Main Street and on which people pay state taxes; and, by the way, the resultant tax loss to your general fund amounts to half a million dollars.

ELECTRIC AND TELEPHONE COSTS

Those of you who pay electric bills will be interested to know that the Administration's Office of Management and Budget is very seriously considering a proposal to even out all Northwest power rates to the national average. This means that power consumers in Montana served by BPA would receive the largest single power rate increase in the history of this nation—more than 52 percent in the first year.

BPA is not the only place the rate payers of Montana stand to lose. Under the proposed budget, the Rural Electric Cooperatives will lose their preferred borrowing rate immediately and their loan authority would be phased out entirely within the next 10 years.

This means that in Montana, where phone customers per mile is the lowest in the nation, our consumers on Rural Phone systems will be borrowing capital at a rate 250% higher than they pay today and that increase will, of course, be reflected in their phone bills.

MHD

You should know, too, that this year the Administration has prepared a serious all-out effort to kill MHD. The long-term energy course in fossil fuel development was seen at one time to be in the national best interest; its loss would be bad for the nation and would mean a $9.8 million loss to Butte.

PUBLIC FACILITIES

One of the issues of great importance to Montana is the completion and repair of our public facilities.

Currently, the State of Montana receives 90% of our highway construction monies from the federal government. The highway funds have been under constant pressure by urban states that believe their problems are more severe. Last session, a 67% cut was proposed for Montana's interstate maintenance funds. This would be an $11 million loss.

The public facilities of prime importance to our local communities are the water and sewer systems. Montana, last year, received $12 million from the EPA which was used for our local sewer projects. The budget proposes to eliminate all water and sewer grant money. That means the funds necessary to complete the systems in both Great Falls and Billings will be lost.

In an EPA grant, a schedule of completion is mandated even if federal funds are eliminated. There are currently 53 applications pending in Montana. For example, the community of Lakeside has applied for an EPA grant. The grant is 75% federal and 25% local. This split places the charge for use of the system at $30 per month. If the federal grants are removed then the individual fee could go as high as $70 per month per household.

You have been very patient. There is more to be said, but perhaps I have already strained the bounds of your generous hospitality.

In conclusion, I want you to know that as a member of the House Budget Committee, I agree with your concern about the critical and dangerous nature of the current raging federal deficit. How it reached these proportions is a matter of political contention, and this is not the appropriate place for me to discuss my personal opinions. The deficit is a reality. And the President working together with us in the Congress must take the prudent steps necessary to significantly move toward balancing the federal budget.

For my part, I'll propose that the House Budget Committee place all federal spending on the table as candidates for cuts. Of course we must prioritize—that is the nature of our responsibility. However, nothing should be held out and that includes both entitlements and defense.

The President has set a three-year deficit reduction goal of $216 billion. Because he has ruled out both a tax increase and significant reductions in defense, his proposed budget reflects massive cuts in domestic spending. Yes, we will have to cut on the domestic side; however, it is critical to understand that there are enormous savings to be found in the Pentagon. Let me give you an example: If the Congress simply holds defense spending at the inflation rate throughout the next three years, we would accrue the entire $216 billion in savings from the Pentagon alone.

Finally, I know that you are considering changes in the Montana tax code. You correctly want to encourage economic development. That is also our goal in the Congress. And, like you, the Congress continues to consider reductions in corporate taxes as a way to energize the economy. In 1981, Congress provided corporate America with the largest tax cut in the history of the United States. In four years it has amounted to an increase in the federal deficit and a windfall to the corporations of nearly thirty-five and a half million dollars.

Were the actions successful in encouraging the national economy? Not long after the tax cut was adopted the nation plunged into the most severe recession in fifty years and has only recently shown improvement over the economy of four years ago.

Perhaps it is apropos for me to mention that the tax cut given to the mining industry was particularly preferential. We reduced the mining industry's marginal effective tax rate by more than fifty percent. Four years later we are still waiting here in Montana and across America to see the promised new investment and expansion by the mining industry.

My friends, our work is cut out for us. As has been said by others, we do not shirk from this responsibility, we welcome it. I stand ready to help you whenever I can. Thank you.

At the conclusion of his speech, Representative Pat Williams was escorted from the Senate Chambers by Senators Lynch and McCallum.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

BILLS (R. Manning, Chairman): 1/16/85

Correctly printed and placed on the members' desks: SB 8, SB 9, SB 16, SB 65, SB 78.

Considered correctly engrossed: SB 5, SB 13, SB 40, SB 71.

Report adopted.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Boylan, Chairman): 1/16/85

SJR 4, introduced bill, be amended as follows:

1. Page 2, line 9.
Following: "on"
Strike: "November 16"
Insert: "December 9"

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Fuller, Chairman): 1/15/85

SB 1, introduced bill, be amended as follows:

1. Page 2, line 7.
Following: "commerce."
Insert: "Surplus funds may be accumulated and rebudgeted for the purposes stated in subsection (2), except that funds rebudgeted by a local governing body or planning agency may not exceed the total revenue received under subsection (1) in the year immediately prior to the budget year."

2. Page 2, line 7.
Following: "Any"
Strike: "surplus"
Insert: "excess"

3. Page 2, line 8.
Following: "account"
Insert: "at the end of each odd-numbered fiscal year, beginning in June 1987"

And, as amended, do pass. Report adopted.

SB 20, introduced bill, be amended as follows:

1. Title, line 7.
Following: "PROVIDING"
Strike: "AN IMMEDIATE"
Insert: "A DELAYED"

2. Title, line 7.
Following: "AND"
Strike: "A RETROACTIVE"
Insert: "AN"

3. Page 1, line 14.
Following: "effective"
Strike: "on passage and approval"
Insert: "January 1, 1986,"

4. Page 1, line 16.
Following: "December 31,"
Strike: "1984"
Insert: "1985"

And, as amended, do pass. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman): 1/14/85

SB 57, introduced bill, be amended as follows:

1. Title, line 4.
Following: ""AN ACT"

Strike: "AUTHORIZING"
Insert: "PROVIDING FOR THE ATTACHMENT OF"

2. Title, line 5.
Following: "ACT"
Strike: "ON"
Insert: "TO"

3. Title, line 6.
Following: line 5
Strike: "REVERSE"
Insert: "BACK"

4. Page 2, line 4.
Following: "statement"
Strike: "provided on"
Insert: "attached to"

5. Page 2, lines 9 through 14.
Following: "donor."
Strike: remainder of lines 9 through 14

6. Page 2, line 20.
Following: "~~Indication~~"
Strike: "Statement of anatomical gift"
Insert: "Indication"

7. Page 2, line 21.
Following: "~~gift~~"
Insert: "of intent to make anatomical gift. (1)"
Following: "."
Insert: "(1)"

8. Page 2, line 22.
Following: "on"
Strike: "the reverse of"

9. Page 2, line 24.
Following: "~~when~~"
Strike: "statement whereby"
Insert: "space for indicating when"

10. Page 2, line 24.
Following: "~~executed~~"
Strike: "may execute"
Insert: "has executed"

11. Page 3, line 2.
Following: line 1
Insert: "(2) The department shall provide each applicant, at the time of application, printed information calling the applicant's attention to the provisions of this section, and each applicant must be given an opportunity to indicate in the space provided under subsection (1) his intent to make an anatomical gift.

(3) The department shall issue to every applicant who indicates such an intent a statement which, when signed by the licensee in the manner prescribed in 72-17-204, constitutes a document of anatomical gift. This statement must be printed on a sticker that the donor may attach permanently to the back of his driver's license.

(4)"

And, as amended, do pass. Report adopted.

RULES (Van Valkenburg, Chairman): 1/15/85
SR 1, introduced bill, be amended as follows:

1. Page 5, line 20.
Following: "prohibited."
Insert: "Standing and select committees may by a majority vote of the committee authorize members to vote in absentia while engaged in other legislative business. Authorization for such voting shall be reflected in the committee minutes."

And, as amended, do pass. Report adopted.

Adverse Committee Reports

JUDICIARY (Mazurek, Chairman): 1/16/85
SB 56, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 46

Noes: Christiaens, Gage.
Total 2

Excused: D. Manning, Severson.
Total 2

Absent or not voting: None.
Total 0

LABOR AND EMPLOYMENT RELATIONS (Lynch, Chairman): 1/15/85
SB 29, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Smith, Stephens, Stimatz, Thayer, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 38

Noes: Anderson, Bengtson, Boylan, Galt, Goodover, Hammond, Kolstad, Shaw, Story, Tveit.
Total 10

Excused: D. Manning, Severson.
Total 2

Absent or not voting: None.
Total 0

MOTIONS

Senator Van Valkenburg moved that HB 15 be placed on second reading this legislative day. Motion carried unanimously.

Senator Van Valkenburg moved that HJR 7 be placed on second reading this legislative day. Motion carried unanimously.

Senator Daniels moved that consideration on SB 6 be passed until the next legislative day. Motion carried unanimously.

Senator Towe moved that the following names be added to the list of sponsors of SB 48: M. Williams, Keenan, Norman, Mazurek. Motion carried unanimously.

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 119, introduced by Eck, Regan, Wallin, J. Brown, Christiaens, Jacobson. Referred to Committee on Judiciary.

SB 120, introduced by Boylan, Ellerd, R. Manning, Goodover, (By Request of the Governor's State Building Construction Advisory Council). Referred to Committee on Business and Industry.

SB 123, introduced by Eck, Gould, Bardanouve, Phillips, Regan, Mohar, (By Request of the Department of Administration). Referred to Committee on State Administration.

SB 124, introduced by Himsl, (By Request of the Department of Administration). Referred to Committee on State Administration.

SB 125, introduced by McCallum. Referred to Committee on Judiciary.

SB 126, introduced by McCallum. Referred to Committee on Local Government.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Crippen in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 18 - That SB 18 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: D. Manning, Severson.
Total 2

Absent or not voting: None.
Total 0

SB 42 - That SB 42 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: D. Manning, Severson.
Total 2

Absent or not voting: None.
Total 0

SB 47 - That SB 47 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: D. Manning, Severson.
Total 2

Absent or not voting: None.
Total 0

HB 15 - That HB 15 be concurred in. Motion carried as follows:

Ayes: Aklestad, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Stephens, Story, Thayer, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 40

Noes: Anderson, Daniels, Jacobson, Lynch, R. Manning, Stimatz.
Total 6

Excused: D. Manning, Severson.
Total 2

Absent or not voting: Smith, Tveit.
Total 2

HJR 7 - That HJR 7 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: D. Manning, Severson.
Total 2

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Crippen moved the adoption of the committee report. Report adopted.

At the request of Senator Van Valkenburg, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the temporary rules be temporarily suspended in order to place HB 15 on third reading this legislative day. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: D. Manning, Severson.
Total 2

Absent or not voting: Blaylock.
Total 1

Senator Towe moved that the following name be added to the list of sponsors of SB 54: J. Brown. Motion carried unanimously.

Senator Van Valkenburg moved that the temporary rules be temporarily suspended in order to place HJR 7 on third reading this legislative day. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 47

Noes: None.
Total 0

Excused: D. Manning, Severson.
Total 2

Absent or not voting: Mr. President.
Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 17 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: D. Manning, Severson.
Total 2

Absent or not voting: None.
Total 0

SB 24 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: D. Manning, Severson.
Total 2

Absent or not voting: None.
Total 0

SB 26 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Haffey, Hager, Halligan, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, R. Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Shaw, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 34

Noes: Aklestad, Boylan, Farrell, Galt, Goodover, Hammond, Harding, Kolstad, McCallum, Severson, Smith, Stephens, Story, Thayer, Tveit.
Total 15

Paired: Christiaens, Aye; Severson, No.

Excused: D. Manning,
Total 1

Absent or not voting:
Total 0

SB 39 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch,

Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: D. Manning, Severson.
Total 2

Absent or not voting: None.
Total 0

SB 44 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 45

Noes: McCallum, Story, Tveit.
Total 3

Excused: D. Manning, Severson.
Total 2

Absent or not voting: None.
Total 0

SB 46 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 46

Noes: Boylan, Shaw.
Total 2

Excused: D. Manning, Severson.
Total 2

Absent or not voting: None.
Total 0

SB 68 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: Hammond.
Total 1

Excused: D. Manning, Severson.
Total 2

Absent or not voting: None.
Total 0

HB 15 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 43

Noes: Daniels, Jacobson, Lynch, R. Manning, Stimatz.
Total 5

Excused: D. Manning, Severson.
Total 2

Absent or not voting: None.
Total 0

HJR 7 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: D. Manning, Severson.
Total 2

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the Senate adjourn until 10:45 a.m., January 17, 1985.

Motion carried.

Senate adjourned at 4:26 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

TENTH LEGISLATIVE DAY

Helena, Montana
January 17, 1985

Senate Chambers
State Capitol

Senate convened at 10:45 a.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Galt, D. Manning, Severson, excused. Quorum present.

MOTIONS

Senator Van Valkenburg moved that the President be empowered to appoint a committee of two to serve with a like committee from the House of Representatives to escort the Honorable Chief Justice and Honorable Justices of the Supreme Court of the State of Montana to the joint session at 11:15 a.m. this day. Motion carried unanimously.

The President appointed Senators Halligan and Keating.

Senator Van Valkenburg moved that the President be empowered to appoint a committee of three to notify the Honorable House of Representatives that the Senate is ready to meet with them in joint session to receive the State of the Judiciary address. Motion carried unanimously.

The President appointed Senators Jacobson, Williams, and Thayer.

The committees were excused to perform their duties.

Senator Van Valkenburg moved that the Senate stand in recess subject to the call of the Chair to await the report of the select committees. Motion carried unanimously.

The Senate recessed at 10:51 a.m.

The Senate reconvened at 10:52 a.m.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 5.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Sergeant-at-Arms announced the committee of three from the House of Representatives was at the door. Representatives D. Brown, Hansen, Glaser, and C. Smith informed the Senate that the House was ready to receive the State of the Judiciary address.

President Norman acknowledged the message and stated that the members would be there shortly.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 3.

REPORTS OF SELECT COMMITTEES

The Sergeant-at-Arms announced the committee of three to notify the House of Representatives that the Senate was ready to meet with the House of Representatives for the State of the Judiciary address was at the door. Senators Jacobson, D. Williams, and Thayer reported they had informed the House that the Senate was ready to meet with them in joint session to receive the message of the Honorable Chief Justice and Honorable Justices of the Supreme Court of the State of Montana.

The President thanked the committee, and the committee was discharged.

SPECIAL ORDERS OF THE DAY

Members of the Senate were admitted to the House.

The Legislature being in joint session, Senate President Norman occupied the Chair.

Senator Van Valkenburg moved that the body resolve itself into a joint session to receive the State of the Judiciary address from the Honorable Supreme Court of the State of Montana. Motion carried unanimously.

Senator Van Valkenburg moved that the roll call of the joint session with the House of Representatives be dispensed with. Motion carried unanimously.

Senator Van Valkenburg moved that the President be authorized to appoint a committee of four to notify the Honorable Chief Justice and Honorable Justices of the Supreme Court of the State of Montana that the Legislature is in joint session and ready to receive the State of the Judiciary address. Motion carried unanimously.

The President appointed Senator Halligan, Senator Keating, Representative Mercer, and Representative Connelly. The committee was discharged to escort the Honorable Chief Justice and Honorable Justices to the House Chambers.

The committee escorted the members of the Supreme Court to the rostrum.

Pastor Monsen gave the invocation.

After being presented to the members of both houses by President Norman, Chief Justice Turnage gave the following State of the Judiciary address:

THE STATE OF THE JUDICIARY
by Honorable Jean A. Turnage
Chief Justice, Montana Supreme Court

President of the Senate Norman, Speaker of the House of Representatives Vincent, Senators and Representatives.

The Montana Supreme Court appreciates this opportunity to report to you matters of importance to the citizens of Montana concerning their judicial system. This report will be in summary form from the perspective of the Chief Justice. As you know, former Chief Justice Frank I. Haswell retired from the court as of January 7th of this year after many years of service to the citizens of Montana in their judicial system. The court and Montana will miss Frank's leadership and experience. As your new Chief Justice, I promise that I will endeavor to fulfill the duties of this office to the utmost of my ability.

Since the last "State of the Judiciary" report to this body, 1028 cases have been filed with the Montana Supreme Court, a 3 percent increase over the previous biennium. That increase, though modest, reflects a trend that in the last eight years has seen an average 4.5 percent increase per year. The exact cause of this trend is unknown but human relationships have become far more complex in recent years and partly as a result, partly as a cause, we are more and more inclined to resolve disputes within these relationships in a more formal manner, that is, in the courts.

There are 209 files where notices of appeal or other applications are pending in the office of Ethel Harrison, Clerk of the Supreme Court. These cases are not in a condition for decision by the court but are waiting for filing of transcripts of the record on appeal and briefing by the litigants' attorneys. It, therefore, is readily apparent that a massive amount of work for the court is imminent as the year begins, and, of course, we can anticipate that there will be many more cases filed as the year progresses.

More detailed information is available at your request from the Office of the Court Adminstrator, Mr. Michael Abley.

The Montana Supreme Court, until recently, has felt itself capable of handling the growing caseload, annually concluding the approximate number of cases filed. However, it has become apparent that we are now beginning to lose ground. The court wrote 370 opinions this year, exceeding the previous record number by 50. Even so, that number plus other forms of conclusions did not quite equal the number of cases filed, and the same can be said of the two previous years as well. We believe this is indicative of the future and that regardless of our efforts, we will slowly fall further and further behind. This leaves us faced with a choice of limiting in some way the number of appeals filed; accepting longer and longer delays in the final resolution of these matters; or making changes in the way cases are handled. The citizens of this state are entitled to their day in court and are just as entitled to having their cases handled expeditiously.

Article VII, section 2, of the Montana Constitution provides that the Supreme Court has appellate jurisdiction and may issue, hear and determine writs appropriate thereto. The court may, and on occasion does, dismiss appeals and other applications that are clearly frivolous and which present no substantial question which is not clearly covered by statute or precedent. (However, this authority of the court must always be exercised with care to assure that no citizen will ever be denied justice in our courts.) If the court did not possess this authority, frivolous appeals and applications presenting no substantial issues would flood the court docket causing delay in the determination of cases that are of great importance to the public and private sectors of our state.

Delay at all levels is the greatest problem facing our judicial system.

Delay in the judicial process is costly to our citizens. Delay in the public sector means more costs to the Montana taxpayer, delay in the private sector means more costs to private citizen litigants. There is another inevitable cost involved in delay, the human factor: any citizen involved as a litigant in a lawsuit has his or her life clouded. Undue delay ever increases this burden which cannot be measured in dollars.

There is much routine work in the court that takes valuable and irreplaceable hours of the Justices' productive time, time that should be devoted to deciding cases before the court, cases that present serious questions of great importance to the citizens of Montana in both the civil and criminal fields.

In an effort to address this problem, our plan is to delegate more routine work to the court's professional staff, and more of their routine work to the clerical staff. To implement the plan, we have requested one additional professional position and three clerical positions. We are well aware that a request for additional staff in these hard times is not a popular action, but the court feels that, considering the alternative, it is justified. We will be presenting more information with regard to our plan and the request in the budget hearings.

The State Law Library, under the direction of Judy Meadows, our new librarian, who I urge you all to become acquainted with, is working on new ideas to extend access to its collection, services and programs for more judges, agencies, public libraries and the citizens of the State of Montana. The staff is actively promoting the library's subscriptions to legal and business databases for computerized research. State agencies have been encouraged to work with the library when they conduct law-related seminars and training programs. Operating hours have been increased by one-third during the legislative session in order to accommodate the needs of the legislators and the Legislative Council.

The library now holds over 70,000 volumes, plus audio and video cassettes which are an important component of the acquisition program that enhances the library's support of the continuing legal education needs of Montana's bench and bar.

In the district courts, substantial changes have taken place since this body last met. The 48th Legislature realigned many of the judicial districts, created another, and increased the number of judges by four. The changes went into effect the first of this year and should significantly reduce the number of cases each judge must handle as well as the number of miles traveled. By the next legislative session, we should be able to report to you the impact on pending caseloads and average times for conclusions.

Criminal jury instructions, which in his last "State of the Judiciary", then Chief Justice Haswell reported were being reviewed have been revised and adopted as have the rules of civil procedure. The rules of appellate civil procedure have also been revised and are now in the process of finalization.

During the last session of the legislature, Senate Joint Resolution 24 was passed requesting the court to study venue and statutes of limitation. The Supreme Court Commission on Rules of Evidence, chaired by Attorney Sam E. Haddon of Missoula, submitted proposed legislation on venue, and I understand that this legislation has or will be introduced this session by Senator Joseph P. Mazurek. The Commission reported that the work on statutes of limitation has not been completed.

In the previous biennium, the court mandated continuing legal education for attorneys and has now done so for members of the judiciary. The new rules cover the justices and judges of the Supreme Court and the District Court, mandatory training having already been established by legislative action for the lower courts.

Chaired by Justice Haswell, a committee sponsored by the state bar and made up of attorneys and members of the news media drew up fair trial/free press guidelines. The guidelines are voluntary but if followed, should ensure both the defendant's rights to a fair trial and the public's right to know.

One of the important parts of our judiciary is the Montana Water Court. This court was created by the legislature to generally adjudicate all our existing water, and under Judge Lessley the court is doing what you asked them to - "expedite and facilitate the adjudication of existing water rights."

The record of this court is impressive. Even as I speak with you, they have adjudicated over 30 basins. Of this number, four are presently finally adjudicated with three more basins to be finalized by the end of January.

A total number of water claims adjudicated is over 60,880 claims. We estimate that they will finish the job in five to six years from now, and for the first time in the history of Montana, we will have a judicial record of all the water before 1973.

We must see that this court is supported and its task is finished.

In the courts of limited jurisdiction we are continuing our training efforts. During this biennium, the approximately 180 justices of the peace, municipal judges and city judges attended a DUI traffic law adjudication program; a seminar devoted to review of the 1983 session laws and update of the lower court benchbook; a course on evidence; and a course on misdemeanor drug and traffic cases.

The Commission on Courts of Limited Jurisdiction continued to assist in the provision of this training as well as providing technical assistance to the lower courts. The commission also conducted an extensive survey of those courts which included caseloads, support staff, facilities, costs and revenues generated and the commission revised the lower court bail bond schedule.

In conclusion, I believe it appropriate to restate what John Marshall said in a speech before the Virginia Constitutional Convention in June 1788 on the importance of the judiciary. Marshall stated: "What is the service or purpose of a judiciary but to execute the laws in a peaceable, orderly manner, without shedding blood or availing ourselves of force. To what other quarter will our citizens look for protection from infringement on the Constitution?"

Montana's judicial system is the quarter where our citizens can look for protection from infringement from any source, public or private, of their Constitution and their laws. It is only proper that the duty and burden of those that serve Montana in the judiciary is to see that force must give way to reason and power to justice.

Thank you.

Father Reeves gave the benediction.

Senator Van Valkenburg moved that the joint session of the 49th Legislature, convened to receive the State of the Judiciary address, be adjourned. Motion carried unanimously.

Senate reconvened at 11:34 a.m.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 12.

Senator Van Valkenburg moved that the Senate recess until the hour of 3:00 p.m. this legislative day. Motion carried unanimously.

Senate recessed at 11:54 a.m.

Senate reconvened at 3:01 p.m.

REPORTS OF STANDING COMMITTEES

BILLS (R. Manning, Chairman): 1/17/85
Correctly printed and placed on the members' desks: SB 1, SB 20, SB 57, SJR 4, SR 1.
Considered correctly engrossed: SB 18, SB 42, SB 47.
Signed by the President at 2:45 p.m., 1/17/85: HB 15, HJR 7.

Report adopted.

FISH AND GAME (Conover, Chairman): 1/17/85
SB 77, do pass. Report adopted.

JUDICIARY (Mazurek, Chairman): 1/17/85

SB 27, introduced bill, be amended as follows:

1. Page 2, line 13 through line 15.
Following: "(2)."
Strike: remainder of line 13 through line 15 in their entirety

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Fuller, Chairman): 1/17/85
SB 92, do pass. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman): 1/16/85

SB 54, introduced bill, be amended as follows:

1. Page 2, line 19.
Following: "Any"
Strike: "person"
Insert: "individual"

2. Page 2, line 21.
Following: "conviction"
Strike: "must"
Insert: "may"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

BUSINESS AND INDUSTRY (Halligan, Chairman): 1/17/85
SB 45, as amended, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 43

Noes: Eck, Regan.
Total 2

Excused: Galt, D. Manning, Severson.
Total 3

Absent or not voting: Lynch, Stimatz.
Total 2

SJR 2, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, R. Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Shaw, Stephens, Story, Thayer, Tveit, Van Valkenburg, Mr. President.
Total 37

Noes: Brown, Himsl, Lybeck, Mohar, Towe, Williams, Yellowtail.
Total 7

Excused: Galt, D. Manning, Severson.
Total 3

Absent or not voting: Lynch, Smith, Stimatz.
Total 3

JUDICIARY (Mazurek, Chairman): 1/17/85
SB 30, as amended, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Story, Thayer, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 42

Noes: Bengtson, Blaylock, Towe.
Total 3

Excused: Galt, D. Manning, Severson.
Total 3

Absent or not voting: Lynch, Stimatz.
Total 2

MESSAGES FROM THE GOVERNOR

The Honorable Bill Norman, President January 16, 1985
Montana State Senate
State Capitol
Helena, Montana 59620

Dear Senator Norman:

I respectfully submit for confirmation by the Montana State Senate, the following appointments. All of the individuals reside in Helena and are appointed to serve at the pleasure of the Governor.

Mrs. Ellen Feaver, as director of Administration, pursuant to Sections 2-15-111 and 2-15-1001, MCA.

Mr. Keith Kelly, as director of Agriculture, pursuant to Sections 2-15-111 and 2-15-3001, MCA.

Mr. Keith L. Colbo, as director of Commerce, pursuant to Sections 2-15-111 and 2-15-1801, MCA.

Mr. James W. Flynn, as director of Fish, Wildlife and Parks, pursuant to Sections 2-15-111 and 2-15-3401, MCA.

Dr. John J. Drynan, M.D., as director of Health and Environmental Sciences, pursuant to Sections 2-15-111 and 2-15-2101, MCA.

Mr. Gary Wicks, as director of Highways, pursuant to Sections 2-15-111 and 2-15-2501, MCA.

Mr. Carroll V. South, as director of Institutions, pursuant to Sections 2-15-111 and 2-15-2301, MCA.

Mr. David E. Wanzenried, as Commissioner of Labor and Industry, pursuant to Article XII, section 2, of the Montana Constitution and Sections 2-15-111 and 2-15-1701, MCA.

General James W. Duffy, as Adjutant General of Military Affairs, pursuant to Sections 2-15-111 and 2-15-1201, MCA.

Mr. Larry Fasbender, as director of Natural Resources and Conservation, pursuant to Sections 2-15-111 and 2-15-3301, MCA.

Mr. John D. LaFaver, as director of Revenue, pursuant to Sections 2-15-111 and 2-15-1301, MCA.

Mr. David M. Lewis, as director of Social and Rehabilitation Services, pursuant to Sections 2-15-111 and 2-15-2201, MCA.

Mr. Dennis Hemmer, as Commissioner of State Lands, pursuant to Sections 2-15-111 and 2-15-3202, MCA.

Mr. Morris Brusett, as a member of the Pacific Northwest Electric Power and Conservation Planning Council, pursuant to Section 90-4-402, MCA.

Mr. Gerald Mueller, as a member of the Pacific Northwest Electric Power and Conservation Planning Council, pursuant to Section 90-4-402, MCA.

Mr. David L. Hunter, as director of the Office of Budget and Program Planning, pursuant to Section 17-7-103, MCA.

Mr. Gary L. Blewett, as the administrator of the Workers' Compensation Division of the Department of Labor and Industry, pursuant to Sections 2-15-111 and 2-15-1702, MCA.

Sincerely,

Ted Schwinden
Governor

Senator Norman referred the Governor's nominations to the Senate committee on State Administration.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 1/17/85

HB 110, introduced by Schye

HB 124, introduced by Addy

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Towe in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 6 - That SB 6 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.

Total 0

Excused: Galt, D. Manning, Severson.
Total 3

Absent or not voting: None.
Total 0

SB 8 - That SB 8 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Galt, D. Manning, Severson.
Total 3

Absent or not voting: None.
Total 0

SB 9 - That SB 9 do pass. Motion failed as follows:

Ayes: Anderson, Christiaens, Conover, Daniels, Eck, Haffey, Halligan, Harding, Hirsch, Jacobson, Lynch, R. Manning, Mazurek, Mohar, Neuman, Regan, Stimatz, Towe, Van Valkenburg.
Total 19

Noes: Aklestad, Bengtson, Blaylock, Boylan, Brown, Crippen, Farrell, Fuller, Gage, Goodover, Hager, Hammond, Himsl, Keating, Kolstad, Lane, Lybeck, McCallum, Pinsoneault, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams, Yellowtail, Mr. President.
Total 28

Excused: Galt, D. Manning, Severson.
Total 3

Absent or not voting: None.
Total 0

Senator Stephens moved that SB 9 be indefinitely postponed. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Crippen, Farrell, Fuller, Gage, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, Lybeck, McCallum, Pinsoneault, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams, Yellowtail, Mr. President.
Total 29

Noes: Christiaens, Conover, Daniels, Eck, Haffey, Halligan, Hirsch, Jacobson, Lane, Lynch, R. Manning, Mazurek, Mohar, Neuman, Regan, Stimatz, Towe, Van Valkenburg.
Total 18

Excused: Galt, D. Manning, Severson.
Total 3

Absent or not voting: None.

Total 0

SB 16 - That SB 16 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Galt, D. Manning, Severson.
Total 3

Absent or not voting: None.
Total 0

SB 65 - That SB 65 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Galt, D. Manning, Severson.
Total 3

Absent or not voting: None.
Total 0

SB 78 - That SB 78 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Galt, D. Manning, Severson.
Total 3

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the

Chair. Chairman Towe moved the adoption of the committee report. Report adopted.

At the request of Senator Story, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Story moved that the following names be added to the list of sponsors of SB 22: Raney, Koehnke. Motion carried unanimously.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 5 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Galt, D. Manning, Severson.
Total 3

Absent or not voting: None.
Total 0

SB 13 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Galt, D. Manning, Severson.
Total 3

Absent or not voting: None.
Total 0

SB 40 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.

Total 47

Noes: None.
Total 0

Excused: Galt, D. Manning, Severson.
Total 3

Absent or not voting: None.
Total 0

SB 71 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 46

Noes: McCallum.
Total 1

Excused: Galt, D. Manning, Severson.
Total 3

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., January 18, 1985.

Motion carried.

Senate adjourned at 4:07 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

ELEVENTH LEGISLATIVE DAY

Helena, Montana
January 18, 1985

Senate Chambers
State Capitol

Senate convened at 3:00 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Galt, D. Manning, Severson, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the eighth legislative day, find the same to be correct.

REPORTS OF STANDING COMMITTEES

BILLS (R. Manning, Chairman): 1/18/85
Correctly printed and placed on the members' desks: SB 27, SB 54, SB 77, SB 92.
Considered correctly engrossed: SB 6, SB 8, SB 16, SB 65, SB 78.

Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 1/18/85
SB 96, introduced bill, be amended as follows:

1. Page 6.
Following: line 15
Insert: "NEW SECTION. Section 6. Extension of authority. Any existing authority of the board of oil and gas conservation to make rules on the subject of the provisions of this act is extended to the provisions of this act."

And, as amended, do pass. Report adopted.

HB 29, be concurred in. Report adopted.

JUDICIARY (Mazurek, Chairman): 1/18/85
SB 2, introduced bill, be amended as follows:

1. Title, line 5.
Following: "CONSUMING"
Insert: ", PURCHASING, OR POSSESSING"

2. Page 8, line 25.
Following: "age"
Insert: ", except as provided in 16-6-305"

3. Page 10, line 9.
Following: "in"
Strike: "[LC 100]"
Insert: "Senate"

4. Page 10, line 10.
Following: "No."
Insert: "3"

And, as amended, do pass. Report adopted.

SB 3, introduced bill, be amended as follows:

1. Title, line 8.
Following: line 7

Insert: "PURCHASING,"
Following: "CONSUMING"
Insert: ","

2. Page 1, line 17.
Following: "for"
Insert: "purchasing,"
Following: "consuming"
Insert: ","

And, as amended, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Lynch, Chairman): 1/17/85
SB 95, do pass. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman): 1/18/85
SB 80, do pass. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 1/18/85
SB 59, introduced bill, be amended as follows:

1. Page 2, lines 13 through 15.
Following: "issued as" on line 13
Strike: "Part III, Architectural and Transportation Compliance Board, Minimum Guidelines and Requirements for Accessible Design, as it reads on October 1, 1985"
Insert: "Part II, Uniform Federal Accessibility Standards, as it reads in the Federal Register dated August 7, 1984"

And, as amended, do pass. Report adopted.

SJR 5, do pass. Report adopted.

TAXATION (Towe, Chairman): 1/18/85
SB 37, do pass. Report adopted.

Adverse Committee Reports

LABOR AND EMPLOYMENT RELATIONS (Lynch, Chairman): 1/17/85
SB 70, do not pass. Adverse committee report adopted as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 34

Noes: Aklestad, Farrell, Gage, Goodover, Hammond, Keating, Kolstad, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 13

Paired: Mazurek, Aye; Akelstad, No.

Excused: Galt, D. Manning, Severson.
Total 3

Absent or not voting:
Total 0

MESSAGES FROM THE GOVERNOR

The Honorable Bill Norman, President January 17, 1985
Montana State Senate

State Capitol
Helena, Montana 59620

Dear Senator Norman:

I respectfully submit for confirmation by the Montana State Senate, my appointment of Mr. Robert W. Holmstrom, Billings, Montana 59101, to fill the judicial vacancy in the thirteenth judicial district pursuant to sections 3-1-1013 and 3-1-1014, MCA. Judge Holmstrom is appointed to serve until he or his successor is duly elected and qualified in accordance with the laws of Montana.

Sincerely,

Ted Schwinden
Governor

The Honorable Bill Norman, President January 17, 1985
Montana State Senate
State Capitol
Helena, Montana 59620

Dear Senator Norman:

I respectfully submit for confirmation by the Montana State Senate, the attached list of appointments.

Sincerely,

Ted Schwinden
Governor

As a member of the BOARD OF AERONAUTICS in accordance with Section No. 2-15-1812, MCA.

Mr. John A. Wall, Helena, Montana 59604, appointed for a term ending 1/1/87.

As members of the AGRICULTURAL LOAN AUTHORITY in accordance with Section No. 2-15-3011, MCA.

Mr. Dennis L. DeVries, Polson, Montana 59860, appointed for a term ending 1/1/87.

Mr. C. David Gorton, Billings, Montana 59101, appointed for a term ending 1/1/87.

Mr. Bernard J. Harkness, Dell, Montana 59724, reappointed for a term ending 1/7/89.

Mr. Keith Kelly, Helena, Montana 59620, reappointed for a term ending 1/7/89.

Mr. Terry Murphy, Great Falls, Montana 59404, appointed for a term ending 1/1/87.

Mr. Paul T. Ringling, Miles City, Montana 59301, appointed for a term ending 1/1/87.

Mr. Harry J. Rodenberg, Wolf Point, Montana 59301, reappointed for a term ending 1/7/89.

As a member of the BOARD OF ARCHITECTS in accordance with Section No. 2-15-1871, MCA.

Mr. George C. Page, Great Falls, Montana 59403, reappointed for a term ending 3/27/87.

As members of the MONTANA ARTS COUNCIL in accordance with Section No. 2-15-1513, MCA.

Ms. Sonia Hoffman, Helena, Montana 59601, appointed for a term ending 2/1/88.

Ms. Janice M. Snow, Missoula, Montana 59802, appointed for a term ending 2/1/85.

As members of the BOARD OF ATHLETICS in accordance with Section No. 2-15-1882, MCA.

Mr. Gene B. Daly, Helena, Montana 59601, appointed for a term ending 4/25/86.

Dr. John R. Halseth, Great Falls, Montana 59404, appointed for a term ending 4/25/86.

Mr. John M. Svaldi, Butte, Montana 59701, appointed for a term ending 4/25/86.

As members of the STATE BANKING BOARD in accordance with Section No. 2-15-1804, MCA.

Mr. John S. Cote, Butte, Montana 59701, reappointed for a term ending 7/1/87.

Mr. Earl W. Johnson, Helena, Montana 59624, reappointed for a term ending 7/1/86.

Mr. D. E. Olsson, Ronan, Montana 59864, reappointed for a term ending 7/1/87.

Mr. Rudy Tramelli, Great Falls, Montana 59405, reappointed for a term ending 7/1/86.

As members of the BOARD OF BARBERS in accordance with Section No. 2-15-1856, MCA.

Mr. Richard L. Riley, Great Falls, Montana 59401, reappointed for a term ending 7/1/87.

Mr. Lawrence M. Sandretto, Red Lodge, Montana 59068, reappointed for a term ending 7/1/86.

As members of the BOARD OF CHIROPRACTORS in accordance with Section No. 2-15-1847, MCA.

Mr. R. G. Glatz, Winnett, Montana 59087, reappointed for a term ending 10/6/87.

Dr. C. R. Grow, Wolf Point, Montana 59201, reappointed for a term ending 1/9/87.

As members of the BOARD OF COSMETOLOGISTS in accordance with Section No. 2-15-1857, MCA.

Ms. Dorothy Turner, Great Falls, Montana 59404, reappointed for a term ending 7/1/87.

Mr. H. Dudley Williams, Helena, Montana 59601, appointed for a term ending 7/1/88.

As members of the BOARD OF COUNTY PRINTING in accordance with Section No. 2-15-1811, MCA.

Mr. Larry C. Bowler, Scobey, Montana 59263, reappointed for a term ending 4/1/85.

Mr. Everett C. Elliott, Conrad, Montana 59425, reappointed for a term ending 4/1/85.

Mr. Ronald D. Lytle, Hardin, Montana 59034, reappointed for a term ending 4/1/85.

Mr. Dan L. Rieder, Bozeman, Montana 59715, reappointed for a term ending 4/1/85.

Mr. Merle Thorstad, Lloyd, Montana 59535, reappointed for a term ending 4/1/85.

As members of the BOARD OF DENTISTRY in accordance with Section No. 2-15-1842, MCA.

Ms. Jeannette S. Buchanan, Columbia Falls, Montana 59912, reappointed for a term ending 7/1/89.

Dr. Robert W. Fritz, Helena, Montana 59601, reappointed for a term ending 3/29/89.

As members of the BOARD OF DENTURITRY in accordance with Section No. 7 of Initiative 97 as passed in 1984 general election.

Mrs. Elsie Fox, Miles City, Montana 59301, appointed for a term ending 1/11/87.

Mr. Ronald B. Kandarian, Kalispell, Montana 59901, appointed for a term ending 1/11/87.

Mr. Henry Siderius, Kalispell, Montana 59901, appointed for a term ending 1/11/88.

Mr. Everett Vanden Eeden, Billings, Montana 59102, appointed for a term ending 1/11/86.

Mr. Lee M. Wiser, Livingston, Montana 59047, appointed for a term ending 1/11/88.

As members of the BOARD OF ECONOMIC DEVELOPMENT in accordance with Section No. 2-15-1805, MCA.

Mr. G. Steven Brown, Helena, Montana 59601, reappointed for a term ending 1/7/89.

Ms. Karen K. Locke, Eureka, Montana 59917, reappointed for a term ending 1/7/89.

Mr. D. Patrick McKittrick, Great Falls, Montana 59403, appointed for a term ending 1/1/87.

Mr. John C. Orth, Butte, Montana 59701, reappointed for a term ending 1/7/89.

Mr. Jackson L. Schutte, Billings, Montana 59117, reappointed for a term ending 1/7/89.

Ms. Yvonne B. Snider, Lewistown, Montana 59457, appointed for a term ending 1/1/87.

Mr. Jeremiah R. Sullivan, Helena, Montana 59601, appointed for a term ending 1/1/87.

As members of the STATE ELECTRICAL BOARD in accordance with Section No. 2-15-1874, MCA.

Mr. Albert Bersanti, Butte, Montana 59701, reappointed for a term ending 7/1/89.

Mr. James A. Lewis, Helena, Montana 59601, appointed for a term ending 7/1/86.

Mr. Kenneth L. Olsen, Billings, Montana 59101, reappointed for a term ending 7/1/88.

As a member of the HARD ROCK MINING IMPACT BOARD in accordance with Section No. 2-15-1822, MCA.

Mr. Donald B. Kinsey, Big Timber, Montana 59011, appointed for a term ending 1/1/87.

As members of the BOARD OF HEARING AID DISPENSERS in accordance with Section No. 2-15-1850, MCA.

Mr. Dudley A. Anderson, Missoula, Montana 59801, appointed for a term ending 7/1/85.

Ms. Ruth Chisholm, Helena, Montana 59601, reappointed for a term ending 7/1/87.

Ms. Barbara Going, Great Falls, Montana 59401, reappointed for a term ending 7/1/86.

Mr. Robert Jurovich, Billings, Montana 59101, reappointed for a term ending 7/1/87.

Dr. William J. Simic, Helena, Montana 59601, appointed for a term ending 7/1/85.

As a member of the HIGHWAY COMMISSION in accordance with Section No. 2-15-2502, MCA.

Ms. Maria N. Murray, Butte, Montana 59701, appointed for a term ending 1/7/85.

As members of the BOARD OF TRUSTEES OF THE MONTANA HISTORICAL SOCIETY in accordance with Section No. 2-15-1512, MCA.

Mr. James R. Beery, Wolf Point, Montana 59201, appointed for a term ending 7/1/89.

Mr. Leif Erickson, Big Fork, Montana 59911, appointed for a term ending 7/1/86.

Ms. Helen L. Hornby, Livingston, Montana 59047, appointed for a term ending 7/1/88.

Mr. William R. Mackay, Roscoe, Montana 59071, reappointed for a term ending 7/1/89.

Mr. George W. O'Connor, Butte, Montana 59701, reappointed for a term ending 7/1/88.

Mr. Harold G. Stearns, Helena, Montana 59601, appointed for a term ending 7/1/86.

Dr. Dee C. Taylor, Missoula, Montana 59812, reappointed for a term ending 7/1/88.

Mr. Wilber P. Werner, Cut Bank, Montana 59427, reappointed for a term ending 7/1/89.

As members of the BOARD OF HORSE RACING in accordance with Section No. 2-15-1881, MCA.

Mr. Harold E. Gerke, Billings, Montana 59101, appointed for a term ending 1/20/86.

Ms. Linda King, Helena, Montana 59601, reappointed for a term ending 1/20/87.

Mr. Malvin Merja, Sun River, Montana 59483, reappointed for a term ending 1/20/88.

Mr. John M. Trippe, Seeley Lake, Montana 59868, appointed for a term ending 1/20/86.

Mr. Terry Wagner, Miles City, Montana 59301, reappointed for a term ending 1/20/88.

As members of the BOARD OF HOUSING in accordance with Section No. 2-15-1814, MCA.

Mr. Tom Battershell, Helena, Montana 59601, reappointed for a term ending 1/7/89.

Mrs. Joan Bennett, Great Falls, Montana 59401, reappointed for a term ending 1/7/89.

Mr. Michael J. Kennedy, Billings, Montana 59101, reappointed for a term ending 1/7/89.

Mr. Bruce Moerer, Shelby, Montana 59474, reappointed for a term ending 1/7/89.

As members of the BOARD OF LANDSCAPE ARCHITECTS in accordance with Section No. 2-15-1872, MCA.

Mr. Jack Ervin, Colstrip, Montana 59323, reappointed for a term ending 7/1/88.

Ms. Sandra K. Fischer, Billings, Montana 59101, appointed for a term ending 7/1/85.

As a member of the BOARD OF LIVESTOCK in accordance with Section No. 2-15-3102, MCA.

Mr. Lawrence S. Fuller, Wyola, Montana 59089, appointed for a term ending 3/1/89.

As members of the BOARD OF MEDICAL EXAMINERS in accordance with Section No. 2-15-1841, MCA.

Dr. Richard W. Beighle, Missoula, Montana 59801, appointed for a term ending 9/1/88.

Dr. John A. Layne, Great Falls, Montana 59401, reappointed for a term ending 9/1/87.

As members of the MONTANA HEALTH FACILITY AUTHORITY in accordance with Section No. 2-15-1815, MCA.

Ms. Mary D. Munger, Helena, Montana 59601, appointed for a term ending 6/30/87.

Ms. D. M. Osborn, Billings, Montana 59115, reappointed for a term ending 6/30/88.

Mr. R. H. Robinson, Missoula, Montana 59801, reappointed for a term ending 6/30/88.

Sister Mary Serena Sheehy, Butte, Montana 59701, appointed for a term ending 6/30/86.

Mr. Charles V. Shewey, Bozeman, Montana 59715, appointed for a term ending 6/30/85.

As members of the BOARD OF MORTICIANS in accordance with Section No. 2-15-1853, MCA.

Mr. Dennis F. Dolan, Butte, Montana 59702, appointed for a term ending 7/1/88.

Mr. Vernon H. Vial, Great Falls, Montana 59403, reappointed for a term ending 7/1/89.

As members of the BOARD OF NURSING HOME ADMINISTRATORS in accordance with Section No. 2-15-1845, MCA.

Ms. Carol Ann Andrews, Havre, Montana 59501, appointed for a term ending 5/28/88.

Mrs. Vera E. Gerke, Billings, Montana 59101, reappointed for a term ending 5/28/89.

As members of the BOARD OF NURSING in accordance with Section No. 2-15-1844, MCA.

Ms. Margaret A. Barkley, Bozeman, Montana 59715, reappointed for a term ending 7/1/88.

Ms. Doris Lorraine Evans, Havre, Montana 59501, appointed for a term ending 7/1/88.

Ms. Shirley A. Mann, Black Eagle, Montana 59414, reappointed for a term ending 7/1/87.

Ms. Donna Mae Snodgrass, Poplar, Montana 59255, appointed for a term ending 7/1/87.

Ms. Naomi E. Summers, Kalispell, Montana 59901, appointed for a term ending 7/1/86.

As members of the BOARD OF OPTOMETRISTS in accordance with Section No. 2-15-1846, MCA.

Dr. A. S. Kautz, Billings, Montana 59101, reapppointed for a term ending 4/3/88.

Dr. Kenneth R. Zuroff, Glendive, Montana 59330, appointed for a term ending 4/3/85.

As members of the BOARD OF PHARMACISTS in accordance with Section No. 2-15-1843, MCA.

Mr. D. Wayne Bollinger, Kalispell, Montana 59901, reappointed for a term ending 7/1/87.

Ms. Rebecca H. Deschamps, Missoula, Montana 59801, reappointed for a term ending 7/1/89.

Ms. Kristin Hartley, Deer Lodge, Montana 59722, reappointed for a term ending 7/1/87.

Ms. Diana M. Pennell, Lewiston, Montana 59457, reappointed for a term ending 7/1/88.

As members of the BOARD OF PHYSICAL THERAPY EXAMINERS in accordance with Section No. 2-15-1858, MCA.

Mr. Richard E. Bartow, Great Falls, Montana 59405, appointed for a term ending 7/1/86.

Mr. Richard L. DonTigny, Havre, Montana 59501, appointed for a term ending 7/1/87.

As members of the BOARD OF PLUMBERS in accordance with Section No. 2-15-1875, MCA.

Mr. James W. Allen, Missoula, Montana 59802, appointed for a term ending 7/1/87.

Mr. Dan Fraser, Helena, Montana 59601, reappointed for a term ending 7/1/89.

Mr. Thor A. Jackola, Kalispell, Montana 59901, reappointed for a term ending 5/4/88.

Mr. Donald Kristensen, Bozeman, Montana 59715, reappointed for a term ending 5/4/87.

Mr. R. W Lyford, Kalispell, Montana 59901, appointed for a term ending 5/4/87.

Mr. Monty F. Patterson, Billings, Montana 59107, appointed for a term ending 5/4/86.

Mr. Alve Thomas, Helena, Montana 59601, appointed for a term ending 7/1/87.

As members of the BOARD OF PRIVATE SECURITY PATROLMEN AND INVESTIGATORS in accordance with Section No. 2-15-1891, MCA.

Mr. A. E. Anderson, Fort Benton, Montana 59442, reappointed for a term ending 8/1/87.

Mr. Clayton Bain, Helena, Montana 59620, reappointed for a term ending 8/1/87.

Mr. George G. Evans, Butte, Montana 59701, appointed for a term ending 8/1/86.

Mr. Raymond J. Froehlich, Missoula, Montana 59802, appointed for a term ending 8/1/85.

Mr. David E. McAllister, Victor, Montana 59875, appointed for a term ending 8/1/86.

Mr. Al Murphy, Missoula, Montana 59802, appointed for a term ending 8/1/85.

Mr. Thomas J. O'Brien, Billings, Montana 59103, appointed for a term ending 8/1/85.

As members of the BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS in accordance with Section No. 2-15-1873, MCA.

Mr. David F. Gibson, Bozeman, Montana 59717, appointed for a term ending 4/23/87.

Mr. Richard E. Guenzi, Glendive, Montana 59330, appointed for a term ending 7/1/87.

Mr. Robert T. Hafferman, Kalispell, Montana 59901, reappointed for a term ending 4/23/88.

Mr. A. T. Kersich, Billings, Montana 59101, reappointed for a term ending 4/23/88.

Ms. Nancy K. Moe, Missoula, Montana 59802, appointed for term ending 3/31/87.

As a member of the BOARD OF PSYCHOLOGISTS in accordance with Section No. 2-15-1851, MCA.

Dr. Arthur L. Beaman, Missoula, Montana 59812, appointed for a term ending 9/1/87.

As members of the BOARD OF PUBLIC ACCOUNTANTS in accordance with Section No. 2-15-1866, MCA.

Mr. Robert B. Bragg, Missoula, Montana 59801, appointed for a term ending 7/1/87.

Mr. Ray A. Curtis, Billings, Montana 59101, appointed for a term ending 7/1/86.

Mr. James D. Stover, Missoula, Montana 59801, appointed for a term ending 7/1/87.

As members of the BOARD OF PUBLIC EDUCATION in accordance with Section No. 2-15-1507 and 2-15-1508, MCA.

Ms. Sarah Listerud, Wolf Point, Montana 59201, appointed for a term ending 2/1/91.

Mr. Bill Thomas, Great Falls, Montana 59405, appointed for a term ending 2/1/86.

As members of the BOARD OF RADIOLOGIC TECHNOLOGISTS in accordance with Section No. 2-15-1848, MCA.

Ms. Rosemary K. Cuskelly, Missoula, Montana 59801, reappointed for a term ending 7/1/87.

Mr. Adrian C. Howe, Helena, Montana 59620, appointed for a term ending 7/1/85.

Mr. Dail F. Lodge, Bozeman, Montana 59715, reappointed for a term ending 7/1/86.

Mr. Howard N. Mazurkiewicz, Great Falls, Montana 59405, reappointed for a term ending 7/1/87.

Mrs. Margaret Mothershead, Big Timber, Montana 59011, reappointed for a term ending 7/1/87.

Ms. Alice M. O'Donnell, Anaconda, Montana 59711, reappointed for a term ending 7/1/87.

Mr. Lon D. Rominger, Great Falls, Montana 59405, appointed for a term ending 7/1/86.

As members of the BOARD OF REALTY REGULATION in accordance with Section No. 2-15-1867, MCA.

Mr. John B. Dudis, Kalispell, Montana 59901, appointed for a term ending 5/9/87.

Mr. Lyle E. McKenna, Lewistown, Montana 59457, appointed for a term ending 5/9/88.

Ms. Patricia Raundal, Helena, Montana 59601, reappointed for a term ending 5/9/87.

As members of the BOARD OF REGENTS OF HIGHER EDUCATION in accordance with Section No. 2-15-1505 and 2-15-1508, MCA.

Mr. Dennis E. Lind, Missoula, Montana 59802, appointed for a term ending 2/1/89.

Ms. Elsie J. Redlin, Lambert, Montana 59243, reappointed for a term ending 2/1/91.

As members of the BOARD OF SANITARIANS in accordance with Section No. 2-15-1861, MCA.

Ms. Stella J. Hansen, Missoula, Montana 59801, reappointed for a term ending 7/1/87.

Mr. Samuel R. Kalafat, Black Eagle, Montana 59414, reappointed for a term ending 7/1/86.

As a member of the BOARD OF SOCIAL AND REHABILITATION APPEALS in accordance with Section No. 2-15-2203, MCA.

Mrs. Minnie Ellen Fritzler, Crow Agency, Montana 59022, reappointed for a term ending 1/1/87.

As members of the BOARD OF SOCIAL WORK EXAMINERS in accordance with Section No. 2-15-1854, MCA.

Mr. Peter C. Guthridge, Billings, Montana 59102, reappointed for a term ending 1/7/89.

Mr. Patrick J. Kelly, Miles City, Montana 59301, appointed for a term ending 1/1/87.

Mr. James J. Pomroy, Helena, Montana 59620, appointed for a term ending 1/1/87.

Ms. Suzanne G. Tiddy, Helena, Montana 59601, reappointed for a term ending 1/7/89.

Ms. Linda J. Williams, Huntley, Montana 59037, reappointed for a term ending 1/7/89.

As members of the BOARD OF SPEECH PATHOLOGISTS AND AUDIOLOGISTS in accordance with Section No. 2-15-1849, MCA.

Mr. Gene W. Bukowski, Billings, Montana 59102, appointed for a term ending 12/31/86.

Ms. Patti DuBray, Billings, Montana 59101, reappointed for a term ending 12/31/86.

As members of the BOARD OF VETERANS' AFFAIRS in accordance with Section No. 2-15-1205, MCA.

Ms. Bernadette A. Opp, Missoula, Montana 59801, appointed for a term ending 5/18/88.

Mr. Neil Shepherd, Chester, Montana, 59522, reappointed for a term ending 5/18/89.

As members of the BOARD OF VETERINARIANS in accordance with Section No. 2-15-1852, MCA.

Dr. John C. Burkhartsmeyer, Helena, Montana 59601, appointed for a term ending 7/31/88.

Dr. William J. Quinn, Bozeman, Montana 59715, appointed for a term ending 7/31/89.

As a member of the BOARD OF WATER WELL CONTRACTORS in accordance with Section No. 2-15-1862, MCA.

Mr. T. F. Benes, Billings, Montana 59101, reappointed for a term ending 7/1/86.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 1/16/85

HB 10, introduced by Eudaily

HB 11, introduced by Hannah

HB 31, introduced by M. Williams

HB 60, introduced by Hanson

HB 61, introduced by Hanson

HB 106, introduced by Connelly

HB 113, introduced by Miles

HB 119, introduced by Miles

HB 123, introduced by Thoft

HJR 6, introduced by J. Brown

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 121, introduced by Norman, Fuller, Regan, Jacobson, Bengtson, Pistoria, O'Connell, J. Brown, Keenan, Bergene, Waldron, Spaeth, Driscoll, Himsl, Harper, Krueger, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Public Health, Welfare and Safety.

SB 122, introduced by Jacobson, Blaylock, Krueger, Ream, Lynch, Regan, Quilici, Haffey, Keenan, Stimatz, Keating, Fuller, Van Valkenburg, Harrington, Harbin, Lory, Menahan, Pavlovich, Eck, Yellowtail, Christiaens, Gage, Halligan, B. Williams, Mazurek. Referred to Committee on Finance and Claims.

SB 127, introduced by B. Brown, Himsl, Halligan, Eck, Peterson, Wallin, Fritz, Winslow, Hansen, Lory, Mercer, J. Brown, Miles, Harper, Darko, Nelson, Kadas, Smith, Norman, Connelly, Cohen. Referred to Committee on Local Government.

SB 128, introduced by Himsl, Mazurek, Blaylock, Crippen. Referred to Committee on Judiciary.
SB 129, introduced by Boylan, Thayer, Holliday, Kolstad, B. Williams, Schultz, Stimatz. Referred to Committee on Agriculture, Livestock and Irrigation.
SB 130, introduced by Harding, Poff, Hannah, Regan. Referred to Committee on Local Government.
SB 131, introduced by Haffey, Quilici, (By Request of the Governor's State Building Construction Advisory Council). Referred to Committee on State Administration.
SB 132, introduced by Halligan. Referred to Committee on Judiciary.
SB 133, introduced by Mohar, Quilici, Haffey, (By Request of the Department of Administration). Referred to Committee on State Administration.
SB 134, introduced by Mohar, Quilici, Haffey, (By Request of the Department of Administration). Referred to Committee on State Administration.
SB 135, introduced by Mohar, Haffey, Harbin, (By Request of the Department of Administration). Referred to Committee on State Administration.
SB 136, introduced by Mohar, Haffey, Harbin, (By Request of the Department of Administration). Referred to Committee on State Administration.
SB 137, introduced by Mohar, Haffey, (By Request of the Department of Administration). Referred to Committee on State Administration.
SB 138, introduced by Mohar, Haffey, Harbin, (By Request of the Department of Administration). Referred to Committee on State Administration.
SB 139, introduced by Thayer, Christiaens. Referred to Committee on Business and Industry.
SB 140, introduced by Christiaens, Eck, Fuller, Halligan, McCallum, Kolstad, Severson, Hammond, Harding, Farrell, Tveit. Referred to Committee on Local Government.
SB 141, introduced by Keating. Referred to Committee on Business and Industry.
SB 143, introduced by Mazurek. Referred to Committee on Business and Industry.
SB 144, introduced by Mazurek. Referred to Committee on Judiciary.
SB 145, introduced by Mazurek. Referred to Committee on Business and Industry.
SB 146, introduced by Fuller, Christiaens, Bradley, O'Hara, R. Manning, Halligan, Story, Boylan, Spaeth. Referred to Committee on Business and Industry.
SB 147, introduced by Haffey, Donaldson. Referred to Committee on State Administration.
SB 148, introduced by B. Brown, Lybeck, Jones, C. Smith, Nelson, Connelly, Cohen, Himsl. Referred to Committee on Judiciary.
SB 149, introduced by B. Brown, Lybeck, Jones, C. Smith, Nelson, Connelly, Cohen, Himsl. Referred to Committee on Judiciary.
SB 150, introduced by B. Brown, Lybeck, Nelson, Connelly, Cohen. Referred to Committee on Judiciary.
SB 151, introduced by B. Brown, Lybeck, Nelson, Connelly, Cohen, Himsl. Referred to Committee on Judiciary.
SB 152, introduced by B. Brown. Referred to Committee on Judiciary.
SB 153, introduced by B. Brown. Referred to Committee on Judiciary.
SB 154, introduced by E. Smith, Donaldson, Hammond, Bengtson, Kolstad, Tveit. Referred to Committee on Agriculture, Livestock and Irrigation.

SB 156, introduced by Towe. Referred to Committee on Taxation.

SB 157, introduced by Lybeck, Holliday, Manuel, Koehnke, Kolstad, R. Manning, Connelly, Harp, Menahan, Iverson, Brandewie, Schultz, Neuman, C. Smith, Jones, Hannah, Story, B. Brown, Tveit, Bengtson, Mohar, Lane, Hirsch, Conover, Harding. Referred to Committee on Agriculture, Livestock and Irrigation.

SB 158, introduced by Jacobson, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Public Health, Welfare and Safety.

SB 159, introduced by Fuller, J. Brown, (By Request of the Public Employees' Retirement Board). Referred to Committee on State Administration.

SB 160, introduced by Fuller, J. Brown. Referred to Committee on Local Government.

SJR 10, introduced by Neuman, Thayer, Lybeck, Conover, Boylan, Holliday, Schye, Van Valkenburg, Tveit, Keating, Pinsoneault. Referred to Committee on Agriculture, Livestock and Irrigation.

The following House bills were introduced, read first time, and referred to committees:

HB 10, introduced by Eudaily, (By Request of the Code Commissioner). Referred to Committee on Education and Cultural Resources.

HB 11, introduced by Hannah, (By Request of the Joint Interim Subcommittee No. 4). Referred to Committee on Education and Cultural Resources.

HB 31, introduced by M. Williams, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Taxation.

HB 60, introduced by Hanson, (By Request of the Department of Livestock). Referred to Committee on Agriculture, Livestock and Irrigation.

HB 61, introduced by Hanson, (By Request of the Department of Livestock). Referred to Committee on Agriculture, Livestock and Irrigation.

HB 106, introduced by Connelly. Referred to Committee on Judiciary.

HB 110, introduced by Schye. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 113, introduced by Miles, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Public Health, Welfare and Safety.

HB 119, introduced by Miles, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Public Health, Welfare and Safety.

HB 123, introduced by Thoft. Referred to Committee on Finance and Claims.

HB 124, introduced by Addy, R. Manning. Referred to Committee on Labor and Employment Relations.

HJR 6, introduced by J. Brown. Referred to Committee on Public Health, Welfare and Safety.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Story in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 1 - That SB 1 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Galt, D. Manning, Severson.
Total 3

Absent or not voting: None.
Total 0

SB 20 - That SB 20 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Galt, D. Manning, Severson.
Total 3

Absent or not voting: None.
Total 0

SB 57 - That SB 57 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Galt, D. Manning, Severson.
Total 0

Absent or not voting: None.
Total 0

SR 1 - That SR 1 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek,

McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Galt, D. Manning, Severson.
Total 3

Absent or not voting: None.
Total 0

SJR 4 - That SJR 4 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Galt, D. Manning, Severson.
Total 3

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Story moved the adoption of the committee report. Report adopted.

At the request of Senator Aklestad, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Aklestad moved that the following name be added to the list of sponsors of SB 74: Asay.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 18 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 44

Noes: None.
Total 0

Excused: Galt, D. Manning, Severson.
Total 3

Absent or not voting: Gage, Lynch, Mr. President.
Total 3

SB 42 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Galt, D. Manning, Severson.
Total 3

Absent or not voting: Gage, Lynch.
Total 2

SB 47 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Galt, D. Manning, Severson.
Total 3

Absent or not voting: Gage, Lynch.
Total 2

Senator Van Valkenburg moved that the Senate adjourn until 9:00 a.m., January 19, 1985.

Motion carried.

Senate adjourned at 3:43 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

TWELFTH LEGISLATIVE DAY

Helena, Montana
January 19, 1985

Senate Chambers
State Capitol

Senate convened at 9:02 a.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Aklestad, Bengtson, Galt, Himsl, D. Manning, Regan, Severson, Yellowtail, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journals for the ninth and tenth legislative days, find the same to be correct.

R. Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (R. Manning, Chairman): 1/19/85
Correctly printed and placed on the members' desks: SB 2, SB 3, SB 37, SB 59, SB 80, SB 95, SB 96, SJR 5.
Considered correctly engrossed: SB 1, SB 20, SB 57, SJR 4.

Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 1/19/85
Recommend that at the close of business January 19, 1985, the following employment be terminated:

Christianna Dvarishkis ..... Page
Yvonne Vandesandt ..... Page
Donna Savail ..... Page
Robin Kolodzi ..... Page
Michelle Eble ..... Page
Kaye Poston ..... Page
Mike Stern ..... Page
K. Lynn Martin ..... Page

Report adopted.

COMMITTEE ROOMS AND OFFICE SPACE

ROOM NO.	OCCUPIED BY:
103	1. Senator Pat Regan, Chairman, Finance and Claims 2. Secretary to Finance and Claims, Sylvia Kinsey 3. Senator Judy Jacobson, Chairman, Public Health, Welfare and Safety 4. Secretary to Public Health, Welfare and Safety, Elaine Gravely
108	Finance and Claims Committee (M-F) 8-11:30 a.m.
300	Office space for: 1. Secretary for Computer Input, Nancy Ritz 2. Amendments Coordinator, Jo Owens 3. Assistant Amendments Coord., Kathy Bramer 4. Bills Coordinator, Mike Menahan 5. Assistant Bills Coord., Paul Tuss
301	Office space for: 1. Sidney Armstrong, Assistant Secretary of the Senate

ROOM NO.	OCCUPIED BY:
	2. Vonnie Evans, Secretary to Assistant Secretary of the Senate
302	Proofreaders 1. Jean Stearns 2. Barbara Griffith
304	Office space for: 1. Senator J. D. Lynch, Chairman, Labor and Employment Relations 2. Secretary for Labor and Employment Relations, Beth Daily
305	Office space for: 1. President Bill Norman 2. Secretary to the President, Bobbie Murphy
306	Office space for: 1. Senator Chet Blaylock, President Pro Tempore; Chairman, Education and Cultural Resources and Legislative Administration
308	Office space for: 1. Senator Bruce Crippen, Minority Whip 2. Secretary to Minority Whip, Rosemary Jacoby
309	Office space for: 1. Senator Stan Stephens, Minority Leader 2. Secretary to Minority Leader, Barbara Simic
310	Office space for: 1. Senator Dave Fuller, Chairman, Local Government 2. Senator Chris Christiaens, Majority Whip 3. Secretary to Majority Whip, Tempie Renders
311	Office space for: 1. Senator Fred Van Valkenburg, Majority Leader 2. Secretary to Majority Leader, Kelly R. Beard 3. Legislative Aide to the President or Researcher
319	Office space for: 1. Senator Joe Mazurek, Chairman, Judiciary 2. Secretary for Judiciary, Cindy Staley
331	State Administration Committee (M-F) 10-12 noon Office space for: 1. Senator Jack Haffey, Chairman, State Administration 2. Secretary for State Administration, Glenda Pennington
366	Office space for: 1. Ralph Erving, Sergeant-at-Arms 2. David Elias, Assistant Sergeant-at-Arms 3. Margaret Regan, Assistant Sergeant-at-Arms
367	Bills Distribution 1. Bob Purdy, Bills Distributor 2. Cindy Jeske, Assistant Bills Distributor
369	Office space for: 1. Bonnie Wallem, Secretary of the Senate

ROOM NO.	OCCUPIED BY:
	2. Vicki Lofthouse, Sec. to the Sec. of the Senate
Supreme Court	Judiciary Committee
402	Education and Cultural Resources (M,W,F)
404	Office space for (Committee Secretaries) 1. Secretary for Local Government, Cheryl Ghilardi 2. Secretary for Fish and Game, Agnes Hamilton 3. Secretary for Education and Cultural Resources, Jill Rohyans 4. Secretary for Taxation, Nancy Aagenes
405	Natural Resources Committee (M,W,F) 1-3 p.m. Local Government Committee (T,Th,S) 1-3 p.m.
407	Office space for: 1. Senator John Mohar 2. Senator M. K. Daniels 3. Senator Esther Bengtson
407A	Infirmary
407B	Office space for: 1. Senator Max Conover, Chairman, Fish and Game 2. Senator Dorothy Eck, Chairman, Natural Resources 3. Secretary for Natural Resources, Cindy Peterson
410	Public Health, Welfare and Safety Committee (M,W,F) 1-3 p.m. Highways and Transportation Committee (T,Th,S) 1-3 p.m. Business and Industry Committee (M-F) 10-12 noon
411A	Office space for: 1. Senator Dave Manning
411B	1. Senator George McCallum (The above 2 Senators are Deans of the respective caucuses)
412	Republican Office Space
413/415	Taxation Committee (M-F) 8-10 a.m. Agriculture, Livestock and Irrigation (M,W,F) 1-3 p.m. Labor and Employment Relations Committee (T,Th,S) 1-3 p.m.
414	Office space for: 1. Senator Tom Towe, Chairman, Taxation
417	Senate Steno Pool
439	Assistant Sergeant-at-Arms' office space 1. Ted Fiskevold
440/441	Office space for: 1. Senator Mike Halligan, Chairman, Business and Industry 2. Senator Larry Stimatz, Chairman, Highways and Transportation 3. Secretary for Business and Industry, Carol Duval

ROOM NO.	OCCUPIED BY:
	4. Secretary for Highways and Transportation, Margaret Bender
442	Office space for: 1. Senator Paul Boylan, Chairman, Agriculture, Livestock and Irrigation 2. Secretary for Agriculture, Rita Tenneson
Basement: 10B	Senate Storage
10H;10G 10F;10E	Senate Democrat Offices, also possible researcher and aide to the president
7B;7E	Senate Interns

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 1/18/85

HB 21, introduced by Quilici

HB 28, introduced by M. Williams

HB 104, introduced by Marks

HB 107, introduced by Miller

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 142, introduced by Halligan. Referred to Committee on Local Government.

SB 155, introduced by E. Smith, Kolstad, Bengtson, (By Request of the Department of Fish, Wildlife, and Parks). Referred to Committee on Fish and Game.

SB 162, introduced by Daniels, (By Request of the Department of Administration). Referred to Committee on State Administration.

SB 163, introduced by Harding, (By Request of the Department of Commerce). Referred to Committee on Local Government.

SB 164, introduced by Neuman, Miller, Towe, (By Request of the Department of Administration). Referred to Committee on State Administration.

SB 165, introduced by Goodover, Boylan, Lynch, B. Williams. Referred to Committee on Business and Industry.

SB 166, introduced by McCallum, (By Request of the Department of State Lands). Referred to Committee on Natural Resources.

SB 167, introduced by Regan, Yellowtail, B. Brown, Haffey. Referred to Committee on Education and Cultural Resources.

SB 168, introduced by Haffey, B. Brown. Referred to Committee on Education and Cultural Resources.

SB 169, introduced by Harding, Hand, Asay, Bardanouve, Nathe, O'Connell, Bachini, Hirsch, Story, Campbell, Hanson, Koehnke, C. Smith, Winslow, Kolstad, Tveit, Boylan, McCallum, Crippen, Bengtson, Daniels, (By Request of the Secretary of State). Referred to Committee on State Administration.

SB 170, introduced by McCallum. Referred to Committee on Local Government.

SB 171, introduced by Harding, (By Request of the Department of Commerce). Referred to Committee on State Administration.

SJR 9, introduced by E. Smith, (By Request of the Governor). Referred to Committee on Finance and Claims.

The following House bills were introduced, read first time, and referred to committees:

HB 21, introduced by Quilici, (By Request of the Department of Highways). Referred to Committee on Highways and Transportation.
HB 28, introduced by M. Williams, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Taxation.
HB 104, introduced by Marks. Referred to Committee on Local Government.
HB 107, introduced by Miller. Referred to Committee on Public Health, Welfare and Safety.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Neuman in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 27 - That SB 27 do pass. Motion carried as follows:

Ayes: Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Mr. President.
Total 42

Noes: None.
Total 0

Excused: Aklestad, Bengtson, Galt, Himsl, D. Manning, Regan, Severson, Yellowtail.
Total 8

Absent or not voting: None.
Total 0

SB 54 - At the request of Senator Towe, and without objection, consideration on SB 54 be passed. Motion carried unanimously.

SB 77 - That SB 77 do pass. Motion carried as follows:

Ayes: Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Mr. President.
Total 42

Noes: None.
Total 0

Excused: Aklestad, Bengtson, Galt, Himsl, D. Manning, Regan, Severson, Yellowtail.

Total 8

Absent or not voting: None.
Total 0

SB 92 - That SB 92 do pass. Motion carried as follows:

Ayes: Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Mr. President.
Total 42

Noes: None.
Total 0

Excused: Aklestad, Bengtson, Galt, Himsl, D. Manning, Regan, Severson, Yellowtail.
Total 8

Absent or not voting: None.
Total 0

HB 29 - That HB 29 be concurred in. Motion carried as follows:

Ayes: Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Mr. President.
Total 42

Noes: None.
Total 0

Excused: Aklestad, Bengtson, Galt, Himsl, D. Manning, Regan, Severson, Yellowtail.
Total 8

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Neuman moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 6 passed as follows:

Ayes: Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Mr. President.
Total 42

Noes: None.
Total 0

Excused: Aklestad, Bengtson, Galt, Himsl, D. Manning, Regan, Severson, Yellowtail.
Total 8

Absent or not voting: None.
Total 0

SB 8 passed as follows:

Ayes: Anderson, Blaylock, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Goodover, Haffey, Halligan, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, Mohar, Neuman, Pinsoneault, Stimatz, Story, Towe, Van Valkenburg, Williams, Mr. President.
Total 31

Noes: Bengtson, Boylan, Crippen, Gage, Hager, Hammond, McCallum, Shaw, Smith, Stephens, Thayer, Tveit.
Total 12

Paired: Farrell, Aye; Bengtson, No.

Excused: Aklestad, Galt, Himsl, D. Manning, Regan, Severson, Yellowtail.
Total 7

Absent or not voting: None.
Total 0

SB 16 passed as follows:

Ayes: Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Mr. President.
Total 41

Noes: Shaw.
Total 1

Excused: Aklestad, Bengtson, Galt, Himsl, D. Manning, Regan, Severson, Yellowtail.
Total 8

Absent or not voting: None.
Total 0

SB 65 passed as follows:

Ayes: Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Mr. President.
Total 42

Noes: None.
Total 0

Excused: Aklestad, Bengtson, Galt, Himsl, D. Manning, Regan, Severson, Yellowtail.
Total 8

Absent or not voting: None.
Total 0

SB 78 passed as follows:

Ayes: Anderson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Mr. President.
Total 41

Noes: None.
Total 0

Excused: Aklestad, Bengtson, Galt, Himsl, D. Manning, Regan, Severson, Yellowtail.
Total 8

Absent or not voting: Conover.
Total 1

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., January 21, 1985.

Motion carried.

Senate adjourned at 9:32 a.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

THIRTEENTH LEGISLATIVE DAY

Helena, Montana
January 21, 1985

Senate Chambers
State Capitol

Senate convened at 3:02 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Hager, D. Manning, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the eleventh legislative day, find the same to be correct.

R. Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (R. Manning, Chairman): 1/21/85
Considered correctly engrossed: SB 27, SB 77, SB 92.
Correctly enrolled: SR 1.

Report adopted.

EDUCATION AND CULTURAL RESOURCES (Blaylock, Chairman): 1/21/85

SB 84, do pass. Report adopted.
SB 117, do pass. Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 1/21/85
Recommend that at the beginning of business January 21, 1985, the following be employed:

Jill Hinman.....Page
Naomi Olson.....Page
Russell Linhart.....Page
Dan Thomas.....Page
Michael Huntley.....Page
John Herron.....Page
Michael Walsh.....Page
Patrick McCarthy.....Page

Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 1/21/85
SB 100, do pass. Report adopted.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bill concurred in as amended and returned to the Senate for concurrence in House amendments: 1/19/85

SJR 3, introduced by Van Valkenburg

House bills passed and transmitted to the Senate for concurrence: 1/19/85

HB 6, introduced by Marks

HB 103, introduced by D. Brown

MOTIONS

Senator Aklestad moved that the following names be added to the list of sponsors of SB 64: H. Hammond, Schye, Cody, Gage, E. Smith, Severson, Thoft, Ernst, Holliday. Motion carried unanimously.

Senator E. Smith moved that the following names be added to the list of sponsors of SJR 9: Peck, Bengtson, Holliday, Nisbet, J. Brown, Gage, Tveit. Motion carried unanimously.

Senator Van Valkenburg moved that SB 54 be taken from second reading this legislative day and rereferred to the Committee on Judiciary. Motion carried unanimously.

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 161, introduced by B. Brown, Mohar, O'Hara, Schye. Referred to Committee on Taxation.

SB 172, introduced by Lynch, Jacobson, Stimatz, Haffey, Daniels, Menahan, Harrington. Referred to Committee on Education and Cultural Resources.

SB 173, introduced by Haffey, Lynch, Keenan, (By Request of the Board of Radiologic Technologists). Referred to Committee on Public Health, Welfare and Safety.

SB 174, introduced by Crippen, Stephens, Fuller, Hansen, Eudaily, (By Request of the Board of Optometrists). Referred to Committee on Public Health, Welfare and Safety.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Brown in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 2 - That SB 2, second reading copy, be amended.

Senator Bengtson moved that SB 2 be placed below SB 3. Motion carried unanimously.

Senator Shaw moved that SB 3 and SB 2 be moved to the bottom of the board this legislative day. Motion carried unanimously.

SB 37 - That SB 37 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager, D. Manning.
Total 2

Absent or not voting: None.
Total 0

SB 59 - That SB 59, second reading copy, be amended as follows:

1. Page 2, line 8.
Following: "that"
Insert: "any new"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager, D. Manning.
Total 2

Absent or not voting: None.
Total 0

That SB 59, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager, D. Manning.
Total 2

Absent or not voting: None.
Total 0

SB 80 - That SB 80 do pass. Motion carried as follows:

Ayes: Anderson, Bengtson, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Halligan, Hirsch, Jacobson, Keating, Lane, Lynch, R. Manning, Mazurek, Mohar, Pinsoneault, Regan, Stimatz, Thayer, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 30

Noes: Aklestad, Boylan, Crippen, Galt, Hammond, Harding, Himsl, Kolstad, Lybeck, McCallum, Neuman, Severson, Shaw, Smith, Stephens, Story, Tveit.
Total 17

Excused: Hager, D. Manning.
Total 2

Absent or not voting: Blaylock.
Total 1

SB 95 - That SB 95 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager, D. Manning.
Total 2

Absent or not voting: None.
Total 0

SB 96 - That SB 96 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager, D. Manning.
Total 2

Absent or not voting: None.
Total 0

SJR 5 - That SJR 5 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager, D. Manning.
Total 2

Absent or not voting: None.
Total 0

Senator Hager present at this time.

SB 3 - That SB 3, second reading copy, be amended as follows:

1. Page 1, line 10.

Following: "MAY"
Strike: "RAISE"
Insert: "ESTABLISH"

2. Page 1, line 12.
Following: line 11
Strike: "FROM 19 YEARS TO 21 YEARS"

3. Page 1, lines 19 and 20.
Following: "establish" on line 19
Strike: "an" on line 19 through "as" on line 20

4. Page 2, line 6.
Following: "age"
Strike: "at 21"

5. Page 2, line 8.
Following: "age"
Strike: "at 21"

Amendment passed as follows:

Ayes: Aklestad, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Goodover, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, McCallum, Mohar, Neuman, Regan, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 38

Noes: Anderson, Crippen, Gage, Galt, Hager, Hammond, Mazurek, Pinsoneault, Severson, Shaw, Story.
Total 11

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

That SB 3, as amended, being a Constitutional Amendment, pass the Senate pursuant to Rule 6-34. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

SB 2 - Senator Van Valkenburg moved that consideration on SB 2 be passed. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Brown moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 1 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: Hager.
Total 1

SB 20 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.

Total 0

SB 57 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

SJR 4 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 5.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 1/21/85

HB 22, introduced by Quilici

HB 43, introduced by Harper

HB 58, introduced by Gilbert

HB 80, introduced by Waldron

HB 88, introduced by Keyser

HB 98, introduced by Winslow

HB 99, introduced by Bradley

HB 116, introduced by Miles

HB 128, introduced by Kitselman

HB 139, introduced by Phillips

HB 142, introduced by Manuel

HB 155, introduced by Harper

HB 181, introduced by Ream

HJR 2, introduced by Spaeth

HJR 5, introduced by Asay

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., January 22, 1985.

Motion carried.

Senate adjourned at 4:54 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

FOURTEENTH LEGISLATIVE DAY

Helena, Montana
January 22, 1985

Senate Chambers
State Capitol

Senate convened at 3:02 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except D. Manning, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the twelfth legislative day, find the same to be correct.

R. Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (R. Manning, Chairman): 1/22/85
Correctly printed and placed on the members' desks: SB 84, SB 100, SB 117.
Correctly engrossed: SB 3, SB 59.
Considered correctly engrossed: SB 37, SB 80, SB 95, SB 96, SJR 5.

Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 1/22/85
SB 103, do pass. Report adopted.

JUDICIARY (Mazurek, Chairman): 1/22/85
SB 85, introduced bill, be amended as follows:

1. Title, line 8.
Strike: "SECTIONS"
Insert: "SECTION"
Following: "44-5-102,"
Strike: "44-5-303, AND 44-5-402,"

2. Page 1, line 16.
Following: "section"
Strike: "directly responsible to the attorney general"

3. Page 5, line 9.
Following: "rights"
Insert: "as provided in the Montana Criminal Justice Information Act of 1979, Title 44, chapter 5"

4. Page 5, line 19 through line 22, page 6.
Strike: sections 10 and 11 in their entirety
Renumber: subsequent sections

And, as amended, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
SB 85

A statement of intent is needed for this bill because section 8 requires the attorney general to adopt standards and procedures for operation of the criminal intelligence information section.

The standards and procedures should particularly address relations and the exchange of information between the section and participating agencies,

information processing and distribution systems, the security of such systems and the information collected, and the safeguarding of individual privacy.

SB 90, introduced bill, be amended as follows:

1. Page 3, line 25.
Following: "4"
Strike: "(2)"
Insert: "(3)"

2. Page 6, line 4.
Following: "Within"
Strike: "20"
Insert: "30"

3. Page 6, line 20.
Following: "shown."
Insert: "Any evidence that reasonably becomes available after the initial 30 days shall be admitted if [section 7] is complied with."

4. Page 9, line 3.
Following: "requirement"
Insert: "or that other good cause is shown"

And, as amended, do pass. Report adopted.

SB 91, do pass. Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 1/21/85
Respectfully report as follows:

That Bob Cutler, Aide to the Minority Leader of the Senate, be employed as of 8:00 a.m. on January 21, 1985.

LOCAL GOVERNMENT (Fuller, Chairman): 1/22/85
SB 94, introduced bill, be amended as follows:

1. Title, line 10.
Following: "MCA"
Insert: "; AND PROVIDING A DELAYED EFFECTIVE DATE AND AN APPLICABILITY DATE"

2. Page 2.
Following: line 1
Insert: "NEW SECTION. Section 3. Effective date — applicability. This act is effective January 1, 1986, and applies to vacancies occurring on or after January 1, 1986."

And, as amended, do pass. Report adopted.

SB 102, do pass. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 1/22/85
SJR 6, do pass. Report adopted.
HB 4, be concurred in. Report adopted.
HB 7, be concurred in. Report adopted.
HB 78, be concurred in. Report adopted.

TAXATION (Towe, Chairman): 1/22/85
SB 43, do pass. Report adopted.
SB 49, introduced bill, be amended as follows:

1. Title, line 10.

Following: "AGENCY;"
Insert: "AND TO CLARIFY THE USE OF COMMERCIAL COLLECTION AGENCIES;"

2. Page 1, line 17.
Following: "taxes"
Insert: "after the time for appeal has expired"

3. Page 1, line 19.
Following: "except"
Strike: "state employees'"
Following: "wages"
Insert: "subject to the provisions of 25-13-614"

4. Page 1, lines 20 and 21.
Following: "benefits." on line 20
Strike: remainder of lines 20 and 21 in their entirety

5. Page 2.
Following: line 2
Insert: "(5) The department must provide the taxpayer with notice of the right to request a hearing under the contested case procedures of Title 2, chapter 4, on the matter of the offset action or the department intent to file a claim on behalf of a taxpayer. A request for hearing must be made within 30 days of the date of the notice and such hearing, if requested, must be held within 20 days."

6. Page 2, lines 13 and 14.
Following: "state" on line 13
Strike: remainder of line 13 through "state" on line 14

And, as amended, do pass. Report adopted.

HB 56, third reading copy, be amended as follows:

1. Title, line 6.
Following: "DEALERS;"
Insert: "REDUCING THE STATUTE OF LIMITATIONS TO 3 YEARS FOR ASSESSMENT OF DEFICIENCIES IN TAX REPORTED BY SPECIAL FUEL USERS AND DEALERS;"
Following: "AMENDING"
Strike: "SECTION"
Insert: "SECTIONS"
Following: "15-70-323"
Insert: "AND 15-70-335"

2. Page 1.
Following: line 22
Insert: "Section 2. Section 15-70-335, MCA, is amended to read:

"15-70-335. Statute of limitation. Except in the case of a fraudulent return or of neglect or refusal to make a return, every deficiency shall be assessed under 15-70-331 within ~~5~~ 3 years after the 25th day of the next succeeding calendar month following the monthly period for which the amount is proposed to be determined or within ~~5~~ 3 years after the return is filed, whichever period expires later.""
Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

MOTIONS

Senator Crippen moved that SB 3 be taken from engrossing and placed on second reading this legislative day. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Keating, Kolstad, Lane, Mazurek, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 25

Noes: Blaylock, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Himsl, Hirsch, Jacobson, Lybeck, Lynch, R. Manning, Mohar, Neuman, Regan, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 24

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 175, introduced by Blaylock. Referred to Committee on Education and Cultural Resources.

SB 176, introduced by Kolstad, Severson, H. Hammond, Blaylock, Peck, Aklestad, Thayer, Farrell, Harding, Tveit, Goodover, E. Smith, Galt. Referred to Committee on State Administration.

SB 177, introduced by Kolstad, J. Brown, Rehberg, Addy, R. Manning, Zabrocki, Asay, Devlin, Grady, Koehnke, O'Connell, Schye, Boylan, Harbin, Galt, Switzer. Referred to Committee on Local Government.

SB 178, introduced by Kolstad, (By Request of the Legislative Council). Referred to Committee on State Administration.

SB 179, introduced by Goodover, Gould, Hager, Pinsoneault, Thayer, Himsl, Boylan, Asay, Christiaens, Miller, Ellison, Jenkins, Peterson, Hayne, Gilbert, Story, Aklestad. Referred to Committee on Judiciary.

SB 180, introduced by Van Valkenburg, Rapp-Svrcek. Referred to Committee on Local Government.

SB 181, introduced by Haffey, (By Request of the Lieutenant Governor). Referred to Committee on Local Government.

SB 182, introduced by Ellison, Farrell, Hager, Boylan, Harding, Lybeck, Campbell, Shaw, Tveit, Gage, H. Hammond, Anderson, C. Smith, Jones, Kitselman, B. Brown, Hanson, Harp, Peterson, Wallin, Jenkins, Compton, Lory. Referred to Committee on Highways and Transportation.

SB 183, introduced by Mazurek. Referred to Committee on Local Government.

SB 184, introduced by Mazurek, (By Request of the Department of Administration). Referred to Committee on Judiciary.

SB 185, introduced by Hirsch, Gage. Referred to Committee on Judiciary.

SB 186, introduced by Himsl, B. Brown, Crippen, Story, Farrell, Anderson, Goodover, Mazurek, Boylan. Referred to Committee on Judiciary.

SB 187, introduced by Towe, (By Request of the Public Employees' Retirement Board). Referred to Committee on Local Government.

SB 188, introduced by Towe, (By Request of the Public Employees' Retirement Board). Referred to Committee on Local Government.

SB 189, introduced by R. Manning, (By Request of the Department of Administration). Referred to Committee on Finance and Claims.

SB 190, introduced by Mazurek, Fuller, Eck, Miles, J. Brown, Donaldson, Grady. Referred to Committee on Business and Industry.

SB 191, introduced by B. Williams, Severson, Halligan, (By Request of the Department of Commerce). Referred to Committee on Business and Industry.

SB 192, introduced by Christiaens, Kolstad, Mazurek, Wallin, Harper, Neuman. Referred to Committee on Business and Industry.

SB 194, introduced by R. Manning, Driscoll, Lybeck. Referred to Committee on Labor and Employment Relations.

SB 195, introduced by Fuller, Mazurek, Harding, Miles, J. Brown, Haffey, Regan. Referred to Committee on State Administration.

SB 196, introduced by Fuller, Keenan, Mazurek. Referred to Committee on State Administration.

SB 197, introduced by Yellowtail, (By Request of the Department of Fish, Wildlife, and Parks). Referred to Committee on Fish and Game.

SB 198, introduced by Christiaens, Darko, (By Request of the Department of Administration). Referred to Committee on State Administration.

The following House bills were introduced, read first time, and referred to committees:

HB 6, introduced by Marks, (By Request of the Code Commissioner). Referred to Committee on Natural Resources.

HB 22, introduced by Quilici, (By Request of the Department of Highways). Referred to Committee on Finance and Claims.

HB 43, introduced by Harper. Referred to Committee on Business and Industry.

HB 58, introduced by Gilbert. Referred to Committee on Highways and Transportation.

HB 80, introduced by Waldron, Lory, (By Request of the Commissioner of Higher Education). Referred to Committee on Education and Cultural Resources.

HB 88, introduced by Keyser, (By Request of the Board of Crime Control). Referred to Committee on Judiciary.

HB 98, introduced by Winslow. Referred to Committee on State Administration.

HB 99, introduced by Bradley. Referred to Committee on Education and Cultural Resources.

HB 103, introduced by D. Brown. Referred to Committee on Judiciary.

HB 116, introduced by Miles, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Public Health, Welfare and Safety.

HB 128, introduced by Kitselman. Referred to Committee on Local Government.

HB 139, introduced by Phillips, (By Request of the Department of Fish, Wildlife, and Parks). Referred to Committee on State Administration.

HB 142, introduced by Manuel, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Public Health, Welfare and Safety.

HB 155, introduced by Harper, Grady, Rapp-Svrcek, J. Williams, Miles, Glaser, Nathe, Bergene, Ellison, Mercer, Eudaily, Krueger, Patterson, Darko, Kadas, Lory. Referred to Committee on Judiciary.

HB 181, introduced by Ream, Hager, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Judiciary.

HJR 2, introduced by Spaeth, (By Request of the Administrative Code Committee). Referred to Committee on State Administration.

HJR 5, introduced by Asay. Referred to Committee on Natural Resources.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Bengtson in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 2 - That SB 2, second reading copy, be amended as follows:

1. Page 10, line 15.
Following: "consuming"
Insert: ", purchasing, or possessing"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

That SB 2, second reading copy, be further amended as follows:

1. Page 1, line 13.
Following: "ELECTORATE"
Insert: "AND THE FEDERAL LEGISLATION THREATENING THE STATE WITH LOSS OF HIGHWAY FUNDS IS UPHELD"

2. Page 10, line 16.
Following: "act"
Strike: remainder of line 16 through line 18
Insert: "shall remain in effect only as long as section 6(a) of Public Law 98-363 (23 U.S.C. 158) requiring the secretary of transportation to withhold highway funds from states allowing the purchase or public possession of any alcoholic beverage by a person who is less than 21 years of age remains in effect or until such federal statute is ultimately declared unconstitutional."

Amendment passed as follows:

Ayes: Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Haffey, Hager, Halligan, Harding, Himsl, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mohar, Neuman, Regan, Smith, Stephens, Stimatz, Towe, Tveit, Van Valkenburg, Williams, Mr. President.
Total 31

Noes: Aklestad, Anderson, Crippen, Gage, Galt, Goodover, Hammond, Hirsch, Jacobson, Keating, Mazurek, McCallum, Pinsoneault, Severson, Shaw, Story, Thayer, Yellowtail.
Total 18

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

That SB 2, second reading copy, be further amended as follows:

1. Title, line 8.
Following: "OR"
Insert: "PUBLICLY"

2. Page 9, line 16.
Strike: section 6 in its entirety
Renumber: subsequent section

Amendment failed as follows:

Ayes: Blaylock, Daniels, Lane, R. Manning, Mohar, Towe, Williams.
Total 7

Noes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lybeck, Lynch, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Yellowtail, Mr. President.
Total 41

Excused: D. Manning.
Total 1

Absent or not voting: Keating.
Total 1

That SB 2, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

SJR 3 - That House amendments to SJR 3 be not concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Bengtson moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 27 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, R. Manning, McCallum, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 37

Noes: Aklestad, Crippen, Galt, Hammond, Himsl, Mazurek, Mohar, Shaw, Thayer, Tveit.
Total 10

Excused: D. Manning.
Total 1

Absent or not voting: Lane, Smith.
Total 2

SB 77 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: Lane.
Total 1

SB 92 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

HB 29 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

At the request of Senator Van Valkenburg, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the President be authorized to appoint a free conference committee to meet with a like committee from the House to confer on SJR 3. Motion carried unanimously.

The President appointed the following members:

Senator Van Valkenburg, Chairman
Senator Christiaens
Senator Stephens

At the request of the President, and without objection, the Senate reverted to Order of Business No. 5.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 1/22/85

HB 9, introduced by Eudaily

HB 141, introduced by Manuel

HJR 3, introduced by Eudaily

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., January 23, 1985.

Motion carried.

Senate adjourned at 4:46 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

FIFTEENTH LEGISLATIVE DAY

Helena, Montana
January 23, 1985

Senate Chambers
State Capitol

Senate convened at 3:01 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except D. Manning, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the thirteenth legislative day, find the same to be correct.

R. Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (R. Manning, Chairman): 1/23/85
Correctly printed and placed on the members' desks: SB 43, SB 49, SB 85, SB 90, SB 91, SB 94, SB 102, SB 103, SJR 6.
Correctly engrossed: SB 2.

Report adopted.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Boylan, Chairman): 1/23/85

SB 157, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stimatz, Chairman): 1/22/85
HB 20, be concurred in. Report adopted.

JUDICIARY (Mazurek, Chairman): 1/23/85
SB 60, introduced bill, be amended as follows:

1. Page 1, line 20.
Following: "of"
Strike: "21"
Insert: "18"

2. Page 2, line 25.
Following: "of"
Strike: "21"
Insert: "18"

And, as amended, do pass. Report adopted.

SB 87, do pass. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 1/23/85
SB 114, introduced bill, be amended as follows:

1. Title, line 6.
Following: "SECTIONS"
Insert: "13-1-106,"
Following: "20-20-106"
Insert: ","

2. Page 1, line 10.
Following: line 9
Insert: "Section 1. Section 13-1-106, MCA, is amended to read:

"13-1-106. Time of opening and closing of polls for all elections. (1) Polls must be open from 7 a.m. to 8 p.m., except polling places

having fewer than 200 registered electors, which must be open from noon to 8 p.m. or until all registered electors in any precinct have voted, at which time the polls shall be closed immediately.

(2) When an election held under 13-1-104(3) and a school election are conducted in the same polling place, the polls shall be opened and closed at the times set for the school election, as provided in 20-20-106.""

Renumber: subsequent sections

3. Page 1, line 16.
Strike: "a"
Insert: "an"

4. Page 1, line 16.
Following: "~~or~~"
Strike: "special"

5. Page 1, line 16.
Following: "election"
Strike: "for another"
Insert: "held by a"

6. Page 1, line 17.
Following: "subdivision"
Strike: ", as required by"
Insert: "under"

7. Page 1, line 17.
Following: "13-1-104(3)"
Insert: "and at the same polling place"

And, as amended, do pass. Report adopted.

SJR 8, do pass. Report adopted.

TAXATION (Towe, Chairman): 1/23/85

SB 33, introduced bill, be amended as follows:

1. Page 3, line 8.
Following: "~~(3)~~"
Strike: "Within"
Insert: "Except as provided in subsections (3) and (4), within"

2. Page 4, line 2.
Following: "shall"
Strike: "be revised, taking"
Insert: "take noncapital"

3. Page 4, line 3.
Following: "water"
Insert: "distribution"

4. Page 4, line 7.
Following: "timber."
Insert: "The provisions of subsection (4)(a) do apply to agricultural land used for growing Christmas trees for commercial purposes."

And, as amended, do pass. Report adopted.

SB 51, introduced bill, be amended as follows:

1. Page 2, line 10.
Following: "person"

Strike: "fails,"

2. Page 2, line 11.
Following: line 10
Strike: "violating"
Insert: "violates"
Following: "chapter"
Strike: ","

3. Page 2, line 12.
Following: "tax"
Strike: "if one is due"

4. Page 2, line 13.
Following: "by"
Strike: "or under"

5. Page 2.
Following: line 23
Insert: "(c) The minimum penalties provided for in subsections (2)(a)(i) and (2)(a)(ii) do not apply if the taxpayer files a written statement under oath on a form provided by the department verifying that he is unable to pay the tax due."

And, as amended, do pass. Report adopted.

SB 72, introduced bill, be amended as follows:

1. Title, line 5.
Following: "SECURITY"
Insert: "AND TIER 1 RAILROAD RETIREMENT"

2. Page 3, lines 12 and 13.
Following: "all" on line 12
Strike: remainder of subsection (m) through "II" on line 13
Insert: "social security and tier 1 railroad retirement benefits described in section 86 of the Internal Revenue Code of 1954, as amended, and applicable on January 1, 1984"

3. Page 5, line 3.
Strike: "1984"
Insert: "1983"

And, as amended, do pass. Report adopted.

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 193, introduced by R. Manning, Driscoll, Lybeck, Hirsch. Referred to Committee on State Administration.

SB 199, introduced by Fuller, Driscoll, Christiaens. Referred to Committee on Labor and Employment Relations.

SB 200, introduced by Christiaens, Asay, Peck, Keating, Tveit, H. Hammond, Hirsch, Goodover, Conover, Lane, Mohar, Boylan, McCallum, Miller, Abrams. Referred to Committee on Judiciary.

SB 201, introduced by Boylan, Schultz, (By Request of the Department of Agriculture). Referred to Committee on Agriculture, Livestock and Irrigation.

SB 202, introduced by Bengtson, E. Smith, Neuman, Asay, Patterson, Nathe, Conover, Boylan. Referred to Committee on Agriculture, Livestock and Irrigation.

SB 206, introduced by Haffey, (By Request of the Motor Vehicle Division of the Department of Justice). Referred to Committee on Business and Industry.

SB 207, introduced by Mazurek. Referred to Committee on State Administration.

SB 209, introduced by Mohar, Ream, Fuller, (By Request of the Department of Fish, Wildlife, and Parks). Referred to Committee on Fish and Game.

SB 210, introduced by Blaylock, Boylan, Driscoll, Quilici, (By Request of the Governor's Building Construction Advisory Council). Referred to Committee on State Administration.

SB 214, introduced by Mazurek, Bergene, Bradley, Gould, Gilbert, Hager. Referred to Committee on Public Health, Welfare and Safety.

SB 215, introduced by Haffey, Vincent, Eck, Kadas, Lory, Stimatz, Halligan, Spaeth, J. Hammond, Eudaily, Miles, Harper, Bardanouve, Daniels, Addy, Driscoll. Referred to Committee on State Administration.

SB 216, introduced by Boylan, McCallum, Neuman, Anderson. Referred to Committee on Business and Industry.

SB 217, introduced by Towe, Mazurek, Neuman, Crippen, Van Valkenburg, Pinsoneault, Norman, B. Brown. Referred to Committee on Judiciary.

SB 221, introduced by R. Manning, Boylan, Yellowtail, Miller, Driscoll, B. Williams, Lybeck, (By Request of the Board of Horseracing). Referred to Committee on State Administration.

SB 222, introduced by Haffey, (By Request of the Department of Commerce). Referred to Committee on State Administration.

SB 223, introduced by Neuman, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Natural Resources.

SB 224, introduced by Van Valkenburg, Christiaens, Goodover, Himsl, (By Request of the Department of Commerce). Referred to Committee on Finance and Claims.

SB 225, introduced by Jacobson, (By Request of the Montana University System). Referred to Committee on State Administration.

SB 226, introduced by Jacobson, (By Request of the Board of Hearing Aid Dispensers). Referred to Committee on Public Health, Welfare and Safety.

SB 227, introduced by Towe, Simon, Regan, Eck, Bengtson, Addy. Referred to Committee on Public Health, Welfare and Safety.

SB 228, introduced by Boylan, Ellerd, Asay, Crippen, (By Request of the Governor's State Building Construction Advisory Council). Referred to Committee on State Administration.

SB 229, introduced by Boylan, Ellerd, Asay, (By Request of the Governor's State Building Construction Advisory Council). Referred to Committee on State Administration.

SB 231, introduced by Goodover, E. Smith, Conover, Lane, Boylan. Referred to Committee on Fish and Game.

SB 232, introduced by Thayer, J. Brown, Haffey, Christiaens, Miller, Peck, McCallum, Quilici, Regan. Referred to Committee on Business and Industry.

SB 233, introduced by Regan, Fuller, Stimatz, McCallum, Christiaens. Referred to Committee on Business and Industry.

SJR 11, introduced by Eck, Hansen, J. Hammond, Kadas, Fritz. Referred to Committee on State Administration.

The following House bills were introduced, read first time, and referred to committees:

HB 9, introduced by Eudaily, (By Request of the Legislative Council). Referred to Committee on Rules.

HB 141, introduced by Manuel, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Public Health, Welfare and Safety.

HJR 3, introduced by Eudaily, (By Request of the Legislative Council). Referred to Committee on Rules.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Thayer in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 3 - That SB 3, third reading copy, be amended as follows:

1. Title, line 12.
Following: "~~YEARS~~"
Insert: "AT AN AGE OF NOT MORE THAN 21 YEARS"

2. Page 1, line 20.
Following: "~~as~~"
Insert: "an age of not more than 21 years as"

3. Page 2, line 6.
Following: "~~21~~"
Insert: "at not more than 21"

4. Page 2, line 8.
Following: "~~21~~"
Insert: "at not more than 21"

Amendment failed as follows:

Ayes: Aklestad, Anderson, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Keating, Kolstad, Mazurek, McCallum, Pinsoneault, Severson, Shaw, Stephens, Story, Thayer.
Total 20

Noes: Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, R. Manning, Mohar, Neuman, Regan, Smith, Stimatz, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 29

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

That SB 3, third reading copy, be further amended as follows:

1. Page 2, lines 5 and 6.
Following: "FOR" on line 5
Strike: the remainder of line 5 through "~~21~~" on line 6
Insert: "removing the legal drinking age of 19 years from the constitution and allowing the legal drinking age to be established by statute or initiative"

2. Page 2, lines 7 and 8.
Following: "AGAINST"
Strike: the remainder of line 7 through "~~21~~" on line 8
Insert: "removing the legal drinking age of 19 years from the constitution and allowing the legal drinking age to be established by statute or initiative"

Amendment passed as follows:

Ayes: Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 40

Noes: Aklestad, Anderson, Galt, Goodover, Hammond, Kolstad, Shaw, Stephens, Story.
Total 9

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

That SB 3, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: Shaw.
Total 1

Excused: D. Manning.
Total 1

Absent or not voting: Stephens.
Total 1

SB 84 - That SB 84 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

SB 100 - That SB 100 do pass. Motion carried as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Hager, Halligan, Jacobson, Lane, Lybeck, Lynch, R. Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 27

Noes: Aklestad, Anderson, Boylan, Crippen, Farrell, Gage, Galt, Goodover, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 22

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

SB 117 - That SB 117 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

HB 4 - That HB 4 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

HB 7 - That HB 7 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

HB 56 - That HB 56 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

HB 78 - That HB 78 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Thayer moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 37 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: Crippen, McCallum.
Total 2

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

SB 59 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

SB 80 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Gage, Haffey, Hager, Halligan, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, Mohar, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 31

Noes: Aklestad, Boylan, Crippen, Farrell, Galt, Goodover, Hammond, Harding, Himsl, McCallum, Neuman, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 18

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

SB 95 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: Shaw.
Total 1

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

SB 96 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

SJR 5 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 5.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 1/23/85

HB 23, introduced by Quilici

HB 72, introduced by Kitselman

HB 125, introduced by Peck

HB 134, introduced by Pavlovich

HB 187, introduced by Harper

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., January 24, 1985.

Motion carried.

Senate adjourned at 4:39 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

SIXTEENTH LEGISLATIVE DAY

Helena, Montana
January 24, 1985

Senate Chambers
State Capitol

Senate convened at 3:03 p.m., President Norman presiding. Invocation by the Chaplain, Pastor Monsen. Pledge of Allegiance to the Flag.

Roll call. All members present except D. Manning, Mohar, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the fourteenth legislative day, find the same to be correct.

R. Manning, Chairman

MOTIONS

Senator Van Valkenburg moved that the Senate recess subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 3:11 p.m.

Senate reconvened at 3:54 p.m.

At the request of Senator Van Valkenburg, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

BILLS (R. Manning, Chairman): 1/24/85
Correctly printed and placed on the members' desks: SB 33, SB 51, SB 60, SB 72, SB 87, SB 114, SB 157, SJR 8.
Correctly engrossed: SB 3.
Considered correctly engrossed: SB 84, SB 100, SB 117.
Signed by the President at 2:15 p.m., 1/24/85: HB 29.

Report adopted.

Senator Haffey excused at this time.

STATE ADMINISTRATION (Haffey, Chairman): 1/24/85
SB 115, do pass. Report adopted.
SB 124, do pass. Report adopted.
HB 87, be concurred in. Report adopted.

Senator Haffey present at this time.

LABOR AND EMPLOYMENT RELATIONS (Lynch, Chairman): 1/22/85
SB 75, do not pass.

Majority Committee members are:

Senator Lynch
Senator Blaylock
Senator Haffey
Senator Manning
Senator Towe

Senator Lynch moved that the majority committee report be adopted. Senator Aklestad made a substitute motion that the minority committee report be adopted.

SB 75, do pass.

Minority Committee members are:

Senator Aklestad
Senator Keating
Senator Thayer

The substitute motion failed as follows:

Ayes: Aklestad, Anderson, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 23

Noes: Bengtson, Blaylock, Boylan, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lane, Lybeck, Lynch, D. Manning, R. Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 27

Paired: Crippen, Story, Ayes; D. Manning, Mohar, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

The majority committee report was adopted as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lane, Lybeck, Lynch, D. Manning, R. Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 28

Noes: Aklestad, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 22

Paired: D. Manning, Mohar, Ayes; Crippen, Keating, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The House, on 1/22/85, acceded to the request of the Senate and appointed a free conference committee to meet with a like committee from the Senate to confer on SJR 3.

The Speaker appointed the following members:

Representative Harper
Representative Marks
Representative Vincent
Representative Ramirez

House bills passed and transmitted to the Senate for concurrence: 1/24/85

HB 30, introduced by M. Williams

HB 163, introduced by Connelly

MOTIONS

Senator Gage moved that SB 100 be taken from engrossing and placed on second reading this legislative day. Motion failed as follows:

Ayes: Aklestad, Anderson, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 23

Noes: Bengtson, Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, R. Manning, Mazurek, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 25

Excused: D. Manning, Mohar.
Total 2

Absent or not voting: None.
Total 0

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 203, introduced by Towe, Hirsch, Galt, McCallum, Halligan, Williams, B. Brown, Christiaens, Harp, Harrington. Referred to Committee on Taxation.

SB 204, introduced by Mazurek. Referred to Committee on Local Government.

SB 205, introduced by Christiaens, Asay, Gage, Bergene, (By Request of the Coal Board). Referred to Committee on State Administration.

SB 208, introduced by Towe, Neuman. Referred to Committee on Business and Industry.

SB 211, introduced by Eck, Christiaens, Jacobson, Neuman, Wallin, Bergene. Referred to Committee on Public Health, Welfare and Safety.

SB 212, introduced by Eck, Halligan, Vincent, Raney. Referred to Committee on Business and Industry.

SB 213, introduced by Eck, J. Hammond, Winslow. Referred to Committee on State Administration.

SB 218, introduced by R. Manning, Driscoll. Referred to Committee on Labor and Employment Relations.

SB 219, introduced by R. Manning, Driscoll. Referred to Committee on Labor and Employment Relations.

SB 220, introduced by R. Manning, Driscoll. Referred to Committee on Labor and Employment Relations.

SB 230, introduced by Tveit, Gage, Harding, Aklestad, C. Smith, Jones, Poff, E. Smith, Conover, Lane. Referred to Committee on Judiciary.

SB 234, introduced by E. Smith, Lane, Boylan, McCallum, Goodover, Bengtson, Hager, Farrell, H. Hammond, Aklestad, Severson, Hirsch, Harding, Yellowtail, Galt, Stimatz, Keating, Thayer, Anderson, Shaw, Tveit. Referred to Committee on Taxation.

SB 235, introduced by Mazurek, Towe. Referred to Committee on Judiciary.

SB 236, introduced by Conover, Boylan, Lane, Yellowtail, B. Williams, Lybeck, R. Manning, Hirsch, Halligan, (By Request of the Department of State Lands). Referred to Committee on Natural Resources.

SB 237, introduced by Christiaens, Neuman, Conover, Asay, Bengtson, B. Williams, Lane, Yellowtail, E. Smith, McCallum, Addy, Tveit,

Holliday, Aklestad. Referred to Committee on Highways and Transportation.

SB 238, introduced by Lane, Yellowtail, Mazurek, B. Williams, Bengtson, Fuller, Mohar, Conover, (By Request of the Department of Revenue). Referred to Committee on Taxation.

SB 239, introduced by Lybeck, Ramirez. Referred to Committee on Business and Industry.

SB 240, introduced by Lybeck, Yellowtail, Halligan, J. Moore, Spaeth, R. Manning, Hirsch, B. Williams, Lane, Devlin, Brandewie, Pistoria, Holliday, Switzer. Referred to Committee on Judiciary.

The following House bills were introduced, read first time, and referred to committees:

HB 23, introduced by Quilici, (By Request of the Department of Highways). Referred to Committee on Highways and Transportation.

HB 72, introduced by Kitselman. Referred to Committee on Business and Industry.

HB 125, introduced by Peck, Spaeth, Miles, Ernst, Lory. Referred to Committee on Local Government.

HB 134, introduced by Pavlovich, (By Request of the Fire Marshal Bureau). Referred to Committee on State Administration.

HB 187, introduced by Harper, B. Brown, Cohen, Eck, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Judiciary.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Hirsch in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 43 - That SB 43 do pass. Motion carried as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Fuller, Haffey, Halligan, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Stephens, Stimatz, Story, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 31

Noes: Aklestad, Anderson, Farrell, Gage, Galt, Goodover, Hammond, Harding, Himsl, Severson, Shaw, Smith, Thayer, Tveit.
Total 14

Excused: D. Manning, Mohar.
Total 2

Absent or not voting: Boylan, Eck, Hager.
Total 3

SB 49 - That SB 49 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens,

Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: D. Manning, Mohar.
Total 2

Absent or not voting: None.
Total 0

SB 85 - That SB 85 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: D. Manning, Mohar.
Total 2

Absent or not voting: None.
Total 0

SB 90 - That SB 90 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Fuller, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Mazurek, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Williams.
Total 31

Noes: Christiaens, Crippen, Daniels, Eck, Farrell, Gage, Galt, Goodover, Haffey, Halligan, Lynch, McCallum, Severson, Van Valkenburg, Yellowtail, Mr. President.
Total 16

Excused: D. Manning, Mohar.
Total 2

Absent or not voting: R. Manning.
Total 1

SB 91 - That SB 91 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.

Total 0

Excused: D. Manning, Mohar.
Total 2

Absent or not voting: None.
Total 0

SB 94 - That SB 94 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: D. Manning, Mohar.
Total 2

Absent or not voting: None.
Total 0

SB 102 - That SB 102 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: D. Manning, Mohar.
Total 2

Absent or not voting: None.
Total 0

SB 103 - That SB 103 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: D. Manning, Mohar.
Total 2

Absent or not voting: None.
Total 0

SJR 6 - That SJR 6 do pass. Senator Goodover made a substitute motion that consideration on SJR 6 be passed this legislative day. The substitute motion failed as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Crippen, Gage, Galt, Goodover, Hammond, Harding, Himsl, Kolstad, Lane, McCallum, Severson, Shaw, Stephens, Thayer, Williams.
Total 19

Noes: Blaylock, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Haffey, Hager, Halligan, Hirsch, Jacobson, Keating, Lybeck, Lynch, R. Manning, Mazurek, Neuman, Pinsoneault, Regan, Smith, Stimatz, Story, Towe, Tveit, Van Valkenburg, Yellowtail, Mr. President.
Total 29

Excused: D. Manning, Mohar.
Total 2

Absent or not voting: None.
Total 0

That SJR 6 do pass. Motion carried as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Hager, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Yellowtail, Mr. President.
Total 26

Noes: Aklestad, Anderson, Boylan, Crippen, Farrell, Gage, Galt, Goodover, Hammond, Harding, Himsl, Keating, Kolstad, Neuman, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams.
Total 22

Excused: D. Manning, Mohar.
Total 2

Absent or not voting: None.
Total 0

HB 20 - That HB 20 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: D. Manning, Mohar.
Total 2

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the

Chair. Chairman Hirsch moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

SB 2 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: D. Manning, Mohar.
Total 2

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., January 25, 1985.

Motion carried.

Senate adjourned at 6:03 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

SEVENTEENTH LEGISLATIVE DAY

Helena, Montana
January 25, 1985

Senate Chambers
State Capitol

Senate convened at 3:00 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except D. Manning, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journals for the fifteenth and sixteenth legislative days, find the same to be correct.

R. Manning, Chairman

COMMUNICATIONS AND PETITIONS

It is with sadness and regret that I make the following announcement:

In 1982, with full expectation of holding my seat in the Montana State Senate for another 4 years, I ran successfully for that position. However, early in 1984, it became necessary to undergo knee surgery. Because of that surgery and complications, my ability to walk and drive a car became seriously impeded. I feel such a disability will preclude me from effectively continuing in the Senate, so I feel it is necessary to resign from my Senatorial position.

I have always appreciated the opportunity to represent the people of Eastern Montana and express my profound thanks for the loyal support given me by the voters of my Senatorial District for so many years.

I have enjoyed my association with my many colleagues in the Montana Legislature and the employees of the State of Montana. I want to express my sincere appreciation for everything everyone has done for me during my 54 years of service.

During the last several years I have worked many hours on a project that I feel will greatly benefit the people of this state.

This project will use the force and fall of the flood waters of the Yellowstone River to create electricity and irrigate the land.

I introduced legislation on this project in the last session because I feel it will help the economic growth of our state and make good use of our most precious natural resource — water.

I hope the Senate will continue to work on this project of using reoccurring resources because some day the flame will go out. We must look now to the future of our children and our children's children.

I am also vitally concerned about coal impact legislation. I have always been a supporter of the 30 percent coal severance tax. It is important to invest some of this money into the future education of this state.

I do not think everything under coal impact has been addressed. I am supporting legislation that addresses impacts that have not been properly taken care of in the past few years.

An example of this is State Secondary 384 in Treasure and Big Horn Counties. This road was heavily impacted by coal development and has not been funded by coal money for much needed reconstruction. Although

Treasure County is surrounded by coal development, the county does not receive any revenue from it. State Secondary 384 acts as a commuter thoroughfare for people employed at the Absaroka and Rosebud Mines in Big Horn County.

Treasure County has absorbed the burden of maintenance and upkeep on this road and cannot continue to absorb the expense.

I would like to emphasize that I feel it is important for the legislature to work together as a whole and take a bipartisan approach to keeping the state operating. I believe in the spirit of compromise and have worked closely with both the Republican and Democratic parties while trying to solve problems of the state. If the legislature is united, these problems can be and will continue to be solved.

Again, thank you. I expect and intend to remain with you in thought and spirit through the years to come, and I am ready and willing to extend my wholehearted support and help in whatever manner might be needed.

Senator Dave Manning, Senatorial District 14

Resignation effective: January 25, 1985

State of Montana
Lewis & Clark County

Subscribed and sworn before me this 17th day of January, 1985.

Arlene Camper
Notary Public for the State of Montana

REPORTS OF STANDING COMMITTEES

BILLS (R. Manning, Chairman): 1/25/85
Correctly printed and placed on the members' desks: SB 115, SB 124.
Considered correctly engrossed: SB 43, SB 49, SB 85, SB 90, SB 91, SB 94, SB 102, SB 103, SJR 6.

Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 1/25/85
SB 143, do pass. Report adopted.
SB 145, introduced bill, be amended as follows:

1. Page 5, line 12.
Following: "~~month.~~"
Insert: "(1) The board of directors of a bank must hold a meeting at least quarterly."
Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

FINANCE AND CLAIMS (Regan, Chairman): 1/24/85
SB 122, introduced bill, be amended as follows:

1. Page 2, line 3.
Following: "children"
Insert: "pursuant to the federal Social Security Act"

2. Page 2, line 17 through line 4, page 3.
Strike: section 2 in its entirety
Insert: "NEW SECTION. Section 2. Aid to dependent children — unemployed parent program. Aid to dependent children shall be granted to or for the care of children who would not otherwise be

entitled to such aid because the child is living in the home with both parents."

3. Page 3, line 5 through line 19.
Strike: section 3 and section 4 in their entirety
Renumber: subsequent sections

4. Page 3, line 20.
Following: "authority."
Insert: "The department may adopt rules to administer this program pursuant to Title IV, section 407, of the federal Social Security Act, as amended."

5. Page 4, line 1.
Following: "2"
Strike: "through 4"
Insert: "and 3"

6. Page 4, line 3.
Following: "2"
Strike: "through 4"
Insert: "and 3"

7. Page 4, line 5.
Following: "effective"
Strike: "July 1, 1985."
Insert: "on passage and approval."
Title, line 8.
Following: "AN"
Insert: "IMMEDIATE"

And, as amended, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
SB 122

Because sections 4 and 5 delegate rulemaking authority to the department of social and rehabilitation services, a statement of legislative intent is required. It is the intent of the legislature that the department adopt rules to administer this program pursuant to Title IV, section 407 of the Social Security Act, as amended.

HB 123, be concurred in. Report adopted.

FISH AND GAME (Conover, Chairman): 1/24/85
SB 155, do pass. Report adopted.

LOCAL GOVERNMENT (Fuller, Chairman): 1/24/85
HB 76, be concurred in. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman): 1/23/85

SB 19, introduced bill, be amended as follows:

1. Title, line 7.
Following: "AMENDING"
Strike: "SECTIONS"
Insert: "SECTION"

2. Title, line 8.
Strike: "AND 50-15-201"

3. Page 2, line 10.
Following: "children;"
Insert: "and"

4. Page 2, line 11.
Strike: subsection (h) in its entirety
Renumber: subsequent subsections

5. Page 5, line 17.
Following: "license,"
Strike: "$30"
Insert: "$40"

6. Page 6, line 4.
Following: "provided in"
Strike: "subsection"
Insert: "subsections"
Following: "(3)"
Insert: "and (4)"

7. Page 6, line 13.
Following: "fund,"
Insert: "$10 must be deposited in and credited to the children's trust fund account established by [section 1],"

8. Page 6, line 19 through line 6, page 7.
Strike: section 7 in its entirety
Insert: "NEW SECTION. Section 7. Voluntary checkoff for child abuse prevention program. (1) Each individual taxpayer who is required to file an income tax return under this chapter and who is entitled to a refund may contribute $2 to the child abuse prevention program provided for in [section 2], by marking the appropriate box on his state income tax return.

(2) Each Montana state individual income tax return form must contain a provision for indicating a contribution to the child abuse prevention program in substantially the following form:

Child abuse prevention program. Check this box if you wish to designate $2 of your tax refund to help fund the child abuse prevention program in Montana. Check the corresponding box for your spouse if your spouse wishes to contribute $2 of the refund for the same purpose."

9. Page 7, line 10.
Following: "section 5."
Insert: "Section 7 is intended to be codified as an integral part of Title 15, chapter 30, and the provisions of Title 15, chapter 30, apply to section 7."

And, as amended, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
SB 19

Section 2 requires the department of social and rehabilitation services to adopt rules implementing the child abuse prevention program.

The rules should:

(1) provide for an overall state plan for the program;
(2) develop criteria for the receipt of program funds;
(3) establish priorities among funded services and activities;

(4) provide a method of monitoring the effectiveness of funded services and activities and the expenditure of funds from the children's trust fund account; and

(5) address other matters necessary to implementation of the child abuse prevention program.

SB 79, introduced bill, be amended as follows:

1. Page 2, line 25 and page 3, line 1.
Following: "applying" in line 25
Strike: "selected orthotic and prosthetic devices"
Insert: "splints"

2. Page 3, line 2.
Following: "equipment"
Insert: "and training in the use of upper extremity prosthetics or upper and lower extremities orthotic devices"

3. Page 3, line 23.
Following: "law"
Insert: "or certified or registered as a member of an occupational or professional group other than occupational therapy"

4. Page 3, line 24.
Following: "licensed"
Insert: ", certified, or registered"

5. Page 3, line 25.
Following: line 24
Insert: "(2) a person who provides treatment, teaches living skills, designs orthotic or prosthetic devices, administers tests, or engages in other activities described in [section 3] but does not represent himself as an occupational therapist;"
Renumber: subsequent sections

6. Page 5, line 16.
Following: "(5)"
Strike: "Each member"
Insert: "Members"
Following: "serve"
Strike: "for a term of 4 years"
Insert: "staggered 4-year terms"

7. Page 11, line 23 and page 12, line 1.
Following: "he has" on line 23
Strike: remainder of line 23 through "includes" in line 1, page 12

8. Page 12, line 2.
Following: "(a)"
Strike: "obtaining"
Insert: "obtained"

9. Page 12, lines 4 and 5.
Following: "(b)"
Strike: remainder of line 4 through "having" in line 5

10. Page 12, line 7.
Following: "(c)"
Strike: "being"
Insert: "been"

11. Page 12, line 10.
Following: "(d)"

Strike: "violating"
Insert: "violated"

12. Page 12, line 12.
Following: "(e)"
Strike: "violating"
Insert: "violated"

13. Page 12, line 21.
Following: "Fees."
Insert: "(1)"

14. Page 12, line 23.
Strike: "(1)"
Insert: "(a)"
Renumber: subsequent subsections

15. Page 13, line 4.
Following: line 3
Insert: "(2) All fees collected by the board under this section must be deposited in the state special revenue fund for the use of the board in administering this act, subject to 37-1-101(6)."

And, as amended, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
SB 79

A statement of intent is required for this act because it delegates rule-making authority to the board of occupational therapy practice. It is the intent of the legislature that in adopting its rules the board should look to standards promulgated by the American occupational therapy association and the committee on allied health, education, and accreditation of the American medical association. These standards should provide guidance to the board for rules regarding recognition of educational programs and the type of examination to be given for licensure. The legislature intends that rules adopted by board governing licensure and conduct of members of the profession be aimed at ensuring the public that practitioners are competent and are providing quality health care services within the scope of this act.

HJR 6, be concurred in. Report adopted.

MOTIONS

Senator Van Valkenburg moved that the letter of resignation of Senator David Manning be spread upon the journal. Motion carried unanimously.

Senator Van Valkenburg moved that the temporary rules be temporarily suspended for the drafting and introduction of a joint resolution to name the present Department of Highways building in honor of Senator Manning. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.

Total 0

Excused: D. Manning.
Total 1

Absent or not voting: Galt, Goodover.
Total 2

Senator Van Valkenburg moved that SB 33 be taken from second reading and that it be rereferred to the Committee on Taxation. Motion carried unanimously.

Senator Van Valkenburg moved that consideration of SB 72 on second reading be passed until the 20th legislative day, 1/29/85. Motion carried unanimously.

Senator Boylan moved that SJR 6 be taken from engrossing and placed on second reading at the discretion of the President. Motion carried as follows:

Ayes: Aklestad, Anderson, Boylan, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, Lane, McCallum, Neuman, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams.
Total 25

Noes: Bengtson, Blaylock, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lybeck, Lynch, R. Manning, Mazurek, Mohar, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Yellowtail, Mr. President.
Total 24

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 241, introduced by Neuman. Referred to Committee on Local Government.
SB 242, introduced by E. Smith, Tveit, Holliday, R. Manning, Spaeth, (By Request of the Department of Commerce). Referred to Committee on State Administration.
SB 243, introduced by Goodover, J.K. Moore, Thayer, E. Smith, H. Hammond, Gage, Aklestad, Keating, Pinsoneault, Brandewie, McCallum, Harding, Boylan. Referred to Committee on Education and Cultural Resources.
SB 244, introduced by McCallum, E. Smith, Schye, Marks, Iverson, Referred to Committee on Local Government.
SB 245, introduced by Story. Referred to Committee on Judiciary.
SB 246, introduced by Pinsoneault, Norman, Fuller, (By Request of the Department of State Lands). Referred to Committee on Taxation.
SB 247, introduced by Daniels, (By Request of the Public Employees' Retirement Board). Referred to Committee on State Administration.
SB 248, introduced by Farrell, (By Request of the Department of Commerce). Referred to Committee on State Administration.
SJR 12, introduced by Severson, Lane, B. Brown. Referred to Committee on Natural Resources.

The following House bills were introduced, read first time, and referred to committees:

HB 30, introduced by M. Williams, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Taxation.

HB 163, introduced by Connelly. Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Farrell in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 51 - That SB 51 do pass. Motion carried as follows:

Ayes: Anderson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Lane, Lybeck, Lynch, R. Manning, Mazurek, Mohar, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Towe, Van Valkenburg, Yellowtail, Mr. President.
Total 33

Noes: Aklestad, Bengtson, Galt, Goodover, Hammond, Himsl, Keating, Kolstad, McCallum, Neuman, Severson, Story, Thayer, Tveit.
Total 14

Excused: D. Manning.
Total 1

Absent or not voting: Blaylock, Williams.
Total 2

SB 60 - That SB 60 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

SB 87 - That SB 87 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek,

McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

SB 114 - That SB 114 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

SB 157 - That SB 157 do pass. Motion carried as follows:

Ayes: Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Galt, Haffey, Hager, Halligan, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, Mohar, Pinsoneault, Regan, Story, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 33

Noes: Aklestad, Anderson, Crippen, Gage, Hammond, Harding, McCallum, Neuman, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Tveit.
Total 15

Excused: D. Manning.
Total 1

Absent or not voting: Goodover.
Total 1

SJR 8 - That SJR 8 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

HB 87 - That HB 87 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Farrell moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 3 being a Constitutional amendment requiring a two-thirds vote of the Legislature, was sent to the House with the following vote:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

SB 84 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: Harding.
Total 1

SB 100 passed as follows:

Ayes: Bengtson, Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Hager, Halligan, Jacobson, Lane, Lybeck, Lynch, R. Manning, Mazurek, Mohar, Neuman, Pinsoneault, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 25

Noes: Aklestad, Anderson, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, McCallum, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 24

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

SB 117 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

HB 4 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.

Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

HB 7 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

HB 56 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: None.
Total 0

HB 78 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: D. Manning.
Total 1

Absent or not voting: Himsl.
Total 1

Senator Van Valkenburg moved that the Senate adjourn until 9:00 a.m., January 26, 1985.

Motion carried.

Senate adjourned at 4:28 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

EIGHTEENTH LEGISLATIVE DAY

Helena, Montana
January 26, 1985

Senate Chambers
State Capitol

Senate convened at 9:02 a.m., President Norman presiding. Invocation by the Chaplain, Pastor Monsen. Pledge of Allegiance to the Flag.

Roll call. All members present except Bengtson, Himsl, D. Manning, McCallum, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (R. Manning, Chairman): 1/26/85
Correctly printed and placed on the members' desks: SB 19, SB 79, SB 122, SB 143, SB 145, SB 155.
Considered correctly engrossed: SB 51, SB 60, SB 87, SB 114, SB 157, SJR 8.

Report adopted.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Boylan, Chairman): 1/25/85

HB 60, be concurred in. Report adopted.
HB 61, be concurred in. Report adopted.
HB 110, be concurred in. Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 1/25/85
SB 146, introduced bill, be amended as follows:

1. Title, lines 6, 7 and 8.
Following: "AND"
Strike: remainder of line 6, all of line 7 through "EDUCATION" on line 8
Insert: "TO ALLOW THE BOARD OF REALTY REGULATION TO PRESCRIBE BY RULE CONTINUING EDUCATION REQUIREMENTS"

2. Title, line 8.
Following: "AMENDING"
Strike: "SECTION"
Insert: "SECTIONS 37-51-204 AND"

3. Page 1.
Following: line 10
Insert: "Section 1. Section 37-51-204, MCA, is amended to read:

"37-51-204. Educational programs <u>and</u> <u>continuing</u> <u>education</u>. (1) The board may, subject to 37-1-101, conduct, hold, or assist in conducting or holding real estate clinics, meetings, courses, or institutes and incur necessary expenses in this connection.

(2) The board may assist libraries and educational institutions in sponsoring studies and programs for the purpose of raising the standards of the real estate business and the competency of licensees.

<u>(3) The board may prescribe by rule continuing education requirements.</u>""
Renumber: subsequent sections

4. Page 2, line 23.
Strike: "<u>graduated</u> <u>from</u>"

Insert: "received credit for completion of 2 years of full curriculum study at"

5. Page 3, line 9.
Following: "law"
Insert: "and ethics"

And, as amended, do pass. Report adopted.

SB 165, introduced bill, be amended as follows:

1. Title, line 6.
Following: "AMENDING"
Strike: "SECTION"
Insert: "SECTIONS 33-20-1105 AND"

2. Page 1.
Following: line 9
Insert: "Section 1. Section 33-20-1105, MCA, is amended to read:

"33-20-1105. Debtor groups. The lives of a group of individuals may be insured under a policy issued to a creditor, who shall be deemed the policyholder, to insure the debtors of the creditor, subject to the following requirements:

(1) The debtors eligible for insurance under the policy shall be all of the debtors of the creditor ~~whose indebtedness is repayable either in installments or in one sum at the end of a period not in excess of 18 months from the initial date of the debt~~ or all of any class or classes thereof determined by conditions pertaining to the indebtedness or the purchase giving rise to the indebtedness. The policy may provide that the term "debtors" shall include the debtors of one or more subsidiary corporations and the debtors of one or more affiliated corporations, proprietors, or partnerships if the business of the policyholder and of such affiliated corporations, proprietors, or partnerships is under common control.

(2) The premium for the policy shall be paid by the policyholder, either from the creditor's funds or from charges collected from the insured debtors, or from both. A policy on which part or all of the premium is to be derived from the collection from the insured debtors of identifiable charges not required of uninsured debtors shall not include, in the class or classes of debtors eligible for insurance, debtors under obligations outstanding at its date of issue without evidence of individual insurability unless at least 75% of the then eligible debtors elect to pay the required charges. A policy on which no part of the premium is to be derived from the collection of such identifiable charges must insure all eligible debtors or all except any as to whom evidence of individual insurability is not satisfactory to the insurer.

(3) The policy may be issued only if the group of eligible debtors is then receiving new entrants at the rate of at least 100 persons yearly or may reasonably be expected to receive at least 100 new entrants during the first policy year and only if the policy reserves to the insurer the right to require evidence of individual insurability if less than 75% of the new entrants become insured. The policy may exclude from the classes eligible for insurance classes of debtors determined by age.

(4) The amount of insurance on the life of any debtor shall at no time exceed the amount owed by him to the creditor. ~~Where the~~

~~indebtedness is repayable in one sum to the creditor, the insurance on the life of any debtor shall in no instance be in effect for a period in excess of 5 years, except that such insurance may be continued for an additional period not exceeding 6 months in the case of default, extension, or recasting of the loan.~~

(5) The insurance shall be payable to the policyholder. Each payment shall reduce or extinguish the unpaid indebtedness of the debtor to the extent of such payment.""

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

COMMITTEES (Jacobson, Chairman): 1/25/85

Hereby appoint to the Consumer Council the following member: Stan Stephens.

Hereby appoint to the Legislative Audit Committee the following member: Dave Fuller.

Hereby appoint to the Legislative Finance Committee the following member: Delwyn Gage.

JUDICIARY (Mazurek, Chairman): 1/25/85

SB 66, introduced bill, be amended as follows:

1. Page 1, line 25.
Following: "purposes."
Strike: remainder of line 25 through "policy." on line 4, page 2

2. Page 2, line 11.
Following: "if"
Strike: remainder of line 11 through "forms." on line 18
Insert: ":

(a) it is written in a clear and coherent manner using words with common and everyday meanings;

(b) it is appropriately divided and captioned by its various sections;"

Renumber: subsequent sections

3. Page 2.
Strike: lines 21 through line 3, page 3 in their entirety

4. Page 3, line 5.
Following: "agreement"
Strike: "signed"

5. Page 3, line 16.
Following: ";"
Strike: "or"

6. Page 3, line 18.
Following: "instrumentality"
Strike: "."
Insert: ";"

7. Page 3, line 19.
Following: line 18
Insert: "(e) the provision of public utility service under tariffs approved by the public service commission; or

(f) a transfer of real estate."

8. Page 4, lines 5 and 6.
Following: "action"
Strike: remainder of line 5 through "court" on line 6

9. Page 5, line 6.
Following: line 5
Insert: "(7) Punitive damages may not be assessed in an action brought under (this act)."

10. Page 5, line 13.
Following: "after"
Strike: "January 1, 1986"
Insert: "July 1, 1987"

And, as amended, do pass. Report adopted.

SB 105, introduced bill, be amended as follows:

1. Title, line 5.
Following: "PROVISION"
Strike: remainder of line 5 through "OBTAIN" on line 6
Insert: "COVERING"

2. Title, line 6.
Following: "HEALTH"
Strike: remainder of line 6 through "CHILDREN" on line 7
Insert: "CARE COSTS"

3. Page 1, line 10.
Following: "to"
Strike: "require"
Insert: "contain"

4. Page 1, line 11.
Following: line 10
Strike: "insurance coverage"
Insert: "care provisions"
Following: "coverage."
Insert: "(1)"
Following: "judgment"
Insert: ", decree,"

5. Page 1, line 12.
Following: "establishing a"
Strike: "temporary or"

6. Page 1, line 13.
Following: "of"
Strike: "an existing"
Insert: "a final"

7. Page 1, line 14.
Following: "include"
Strike: remainder of line 14 through "child." on line 21
Insert: "a provision apportioning health care costs for the minor children to either or both parties. If either party has available through an employer or other organization health insurance coverage for the child or children for which the premium is partially or entirely paid by the employer or organization, the judgment, decree, or order must contain a provision requiring that coverage for the child or children be continued or obtained.

(2) In the event that health insurance required in a child support judgment, decree, or order becomes unavailable to the party who is to provide it through loss or change of employment or otherwise, that party must, in the absence of an agreement to the contrary, obtain comparable insurance or request that the court modify the requirement.

(3) All temporary child support orders must contain a provision requiring the party who has health insurance in effect for the child or children of the parties to continue the insurance coverage pending final disposition of the case.

(4) The parties may by written agreement provide for the health care coverage required by this section, subject to the approval of the court."

8. Page 1, line 21.
Following: "child."
Strike: "This"
Insert: "(5) Unless otherwise provided in the decree, the"

9. Page 1, line 22.
Following: line 21
Strike: "insurance"
Insert: "care"
Following: "coverage"
Insert: "required by this section"

10. Page 1, line 25.
Following: line 24
Insert: "(6) As used in this section, "health care costs" means the costs for health insurance premiums, insurance deductible amounts, or coinsurance, as well as reasonable and necessary hospital, medical, dental, orthodontic, ocular, and mental health service expenses not covered by insurance."

And, as amended, do pass. Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 1/26/85

Recommend that at the close of business January 26, 1985, the following employment be terminated:

Jill Hinman.....Page
Naomi Olson.....Page
Russell Linhart.....Page
Dan Thomas.....Page
Michael Huntley.....Page
John Herron.....Page
Michael Walsh.....Page
Patrick McCarthy.....Page

Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman): 1/25/85

SB 158, do pass. Report adopted.
HB 113, be concurred in. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 1/25/85

SB 11, introduced bill, be amended as follows:

1. Page 1, line 20.
Following: "with"

Insert: "Article VIII, section 13, of the Montana Constitution and"

2. Page 2, line 25.
Following: line 24
Insert: "(2) Nothing contained in this section shall prevent the investment in any business activity in Montana, including activities that continue existing jobs or create new jobs in Montana, if the investment meets the standard of care required by this section. In discharging its duties, the board of investments and the Montana economic development board shall consider the preservation of purchasing power of capital during periods of high monetary inflation."
Renumber: subsequent subsections

3. Page 8, line 15.
Following: "and/or"
Strike: "banks"
Insert: "financial institutions"

4. Page 9, line 24 through page 10, line 4.
Strike: section 5 in its entirety

And, as amended, do pass. Report adopted.

SB 123, do pass. Report adopted.
HB 5, be concurred in. Report adopted.

TAXATION (Towe, Chairman): 1/25/85
SB 34, introduced bill, be amended as follows:

1. Page 4, line 18.
Following: line 17
Strike: "(2)"
Insert: "(3)"

2. Page 4, line 21.
Following: line 20
Strike: "(2)"
Insert: "(3)"

3. Page 6, line 9.
Following: line 8
Strike: "(2)"
Insert: "(4)"

4. Page 6, line 12.
Following: line 11
Strike: "(2)"
Insert: "(4)"

And, as amended, do pass. Report adopted.

SB 35, do pass. Report adopted.
SB 36, do pass. Report adopted.
SB 41, introduced bill, be amended as follows:

1. Title, line 8.
Following: "THAT"
Insert: "A PORTION OF"
Strike: "MAY NOT"

2. Title, line 10.
Following: "MCA"
Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE"

3. Page 1, line 18.
Strike: ", except funds deposited pursuant to 17-5-704(2),"
Insert: "and 15% of the annual income and earnings on the Montana in-state investment fund appropriated to the coal severance tax permanent fund by 17-5-704(2)"

4. Page 2, line 5.
Following: "consists of"
Insert: ": (1)"

5. Page 2, lines 7 and 8.
Strike: ", except funds deposited pursuant to 17-5-704(2), and"
Insert: "; (2)"

6. Page 2, line 10.
Following: "fund"
Insert: "; and

(3) 15% of the annual income and earnings on the Montana in--state investment fund appropriated to the coal tax severance tax permanent fund by 17-5-704(2)"

7. Page 2.
Following: line 10
Insert: "NEW SECTION. Section 3. Effective date — applicability. This act is effective on passage and approval and applies retroactively, within the meaning of 1-2-109, to appropriations on and after July 1, 1983."

And, as amended, do pass. Report adopted.

SB 99, introduced bill, be amended as follows:

1. Title, line 5.
Following: line 4
Insert: "TWO"
Following: "IMMEDIATELY"
Strike: "PREVIOUS YEAR"
Insert: "PRECEDING YEARS"

2. Title, line 8.
Following: line 7
Strike: "SECTION"
Insert: "SECTIONS 15-8-202 AND"
Following: "AN"
Insert: "IMMEDIATE EFFECTIVE DATE AND AN"

3. Page 2, line 20.
Following: line 19
Insert: "two"
Following: "immediately"
Strike: "previous year"
Insert: "preceding years"

4. Page 2, line 24.
Following: "the"
Insert: "two"
Following: "immediately"
Strike: "previous year"
Insert: "preceding years"

5. Page 3, line 8.
Following: "(b) the"

Insert: "two"
Following: "immediately"
Strike: "previous year"
Insert: "preceding years"

6. Page 3.
Following: line 16
Insert: "Section 2. Section 15-8-202, MCA, is amended to read:

"15-8-202. Motor vehicle assessment. (1) ~~(a)~~ The department or its agent must, in each year, ascertain and assess all motor vehicles other than automobiles, trucks having a rated capacity of three-quarters of a ton or less, motor homes, travel trailers, or mobile homes in each county subject to taxation as of January 1 or as of the anniversary registration date of those vehicles subject to 61-3-313 through 61-3-316 and 61-3-501. The assessment for all motor vehicles will be made using the market value as of January 1 of the year of assessment of the vehicle as contained in the most recent volume of the Mountain States Edition of the National Automobile Dealers Association Official Used Car Guide. The motor vehicles shall be assessed in each year to the persons by whom owned or claimed or in whose possession or control they were at midnight of January 1 or the anniversary registration date thereof, whichever is applicable.

~~(b)~~(2) No tax may be assessed against motor vehicles subject to taxation that constitute inventory of motor vehicle dealers as of January 1. These vehicles and all other motor vehicles subject to taxation brought into the state subsequent to January 1 as motor vehicle dealers' inventories shall be assessed to their respective purchasers as of the dates the vehicles are registered by the purchasers.

~~(c)~~(3) "Purchasers" includes dealers who apply for registration or reregistration of motor vehicles, except as otherwise provided by 61-3-502.

~~(d)~~(4) Goods, wares and merchandise of motor vehicle dealers, other than new motor vehicles and new mobile homes, shall be assessed at market value as of January 1.

~~(2) In all cases where taxes or a fee in lieu of tax were required to be paid, the applicant for registration or reregistration of a motor vehicle, other than a mobile home, is not relieved of the duty of paying taxes or the fee in lieu of tax if the taxes or fees have not been paid by a prior applicant or owner.~~""
Renumber: subsequent section

7. Page 3, line 17.
Following: "2."
Strike: "Applicability"
Insert: "Effective date — applicability"
Following: "act"
Insert: "is effective on passage and approval and"

8. Page 3, line 18.
Following: "applies"
Insert: "retroactively, within the meaning of 1-2-109,"
Following: "registered"
Strike: "on"
Following: "or"
Insert: "reregistered"

Following: "after"
Strike: "January 1, 1986"
Insert: "December 31, 1984"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

STATE ADMINISTRATION (Haffey, Chairman): 1/25/85
SB 10, introduced bill, be amended as follows:

1. Title, lines 8 through 10.
Following: "FUNDS" on line 8
Strike: "AND" on line 8 through "FUNDS" on line 10
Insert: ", EXCEPT AS PROVIDED BY LAW"

2. Page 2, lines 12 through 15.
Following: "law" on line 12
Strike: "," on line 12 through "expert" on line 15

3. Page 2, line 25 through page 3, line 1.
Following: "funds" on line 25
Strike: "and" on line 25 through "funds" on line 1, page 3
Insert: ", except as provided by law"

4. Page 3, lines 3 and 4.
Following: "funds" on line 3
Strike: "and" on line 3 through "funds" on line 4
Insert: ", except as provided by law"

And, as amended, do not pass.

Senator Haffey moved that the adverse committee report be adopted. Motion failed as follows:

Ayes: Aklestad, Blaylock, Boylan, Brown, Christiaens, Crippen, Fuller, Gage, Galt, Goodover, Hammond, Severson, Smith, Stephens, Story, Thayer, Tveit, Van Valkenburg, Mr. President.
Total 19

Noes: Anderson, Conover, Daniels, Eck, Farrell, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Shaw, Stimatz, Towe, Williams, Yellowtail.
Total 27

Excused: Bengtson, Himsl, D. Manning, McCallum.
Total 4

Absent or not voting: None.
Total 0

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bill concurred in and returned to the Senate: 1/25/85

SJR 1, introduced by Mazurek

House bills passed and transmitted to the Senate for concurrence: 1/25/85

HB 27, introduced by M. Williams

HB 81, introduced by Ellison

HB 96, introduced by Holliday

HB 137, introduced by Driscoll

HB 143, introduced by Bardanouve

HB 150, introduced by Bergene

HB 180, introduced by Ream

HB 182, introduced by Bergene

MOTIONS

Senator Blaylock moved that the rules be temporarily suspended in order to allow additional sponsors to be obtained for adding sponsors of SJR 6. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 39

Noes: Goodover, Hammond, Neuman, Shaw, Smith, Thayer, Tveit.
Total 7

Excused: Bengtson, Himsl, D. Manning, McCallum.
Total 4

Absent or not voting: None.
Total 0

Senator Haffey moved that SB 10 be printed and placed on second reading. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Bengtson, Himsl, D. Manning, McCallum.
Total 4

Absent or not voting: Story.
Total 1

Senator Crippen moved that consideration on SB 124, on second reading this legislative day, be passed. Motion carried unanimously.

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 249, introduced by Boylan, B. Brown, D. Brown, Iverson, Quilici. Referred to Committee on Taxation.

SB 250, introduced by Mazurek, H. Hammond, Harp, Harper, Fuller, Koehnke, R. Manning, Keating, Story, (By Request of the Board of Realty Regulation). Referred to Committee on Business and Industry.

SB 251, introduced by Towe, Mazurek, Eck, Crippen, (By Request of the Montana Economic Development Board). Referred to Committee on State Administration.
SB 252, introduced by Fuller, Hager, Pinsoneault, (By Request of the Department of Commerce). Referred to Committee on Business and Industry.
SB 253, introduced by Lynch, (By Request of the Department of Justice, Division of Motor Vehicles). Referred to Committee on Highways and Transportation.
SB 254, introduced by Eck, Crippen, Nathe. Referred to Committee on Public Health, Welfare and Safety.
SB 255, introduced by Galt, Schye. Referred to Committee on Fish and Game.
SB 256, introduced by B. Brown, Harp, Lybeck, Cohen. Referred to Committee on Education and Cultural Resources.
SB 257, introduced by Daniels, (By Request of the Department of Institutions). Referred to Committee on Judiciary.
SB 258, introduced by Tveit, E. Smith, Gilbert, Holliday, Poff, Schye, Abrams. Referred to Committee on Natural Resources.
SJR 13, introduced by Eck, Holliday, Iverson, Lynch, Galt, Nathe. Referred to Committee on Education and Cultural Resources.

The following House bills were introduced, read first time, and referred to committees:

HB 27, introduced by M. Williams, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Taxation.
HB 81, introduced by Ellison. Referred to Committee on Natural Resources.
HB 96, introduced by Holliday. Referred to Committee on Taxation.
HB 137, introduced by Driscoll, (By Request of the Department of Labor and Industry). Referred to Committee on Labor and Employment Relations.
HB 143, introduced by Bardanouve, (By Request of the Legislative Finance Committee). Referred to Committee on State Administration.
HB 150, introduced by Bergene, Sales, J.K. Moore, Spaeth, Miller, Manuel, Keyser, Thoft, Keenan, Vincent, Addy, (By Request of the Secretary of State). Referred to Committee on State Administration.
HB 180, introduced by Ream, Hager, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Public Health, Welfare and Safety.
HB 182, introduced by Bergene, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Public Health, Welfare and Safety.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Jacobson in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 115 - That SB 115 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane,

Lybeck, Lynch, R. Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Bengtson, Himsl, D. Manning, McCallum.
Total 4

Absent or not voting: None.
Total 0

HB 76 - That HB 76 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Bengtson, Himsl, D. Manning, McCallum.
Total 4

Absent or not voting: None.
Total 0

HB 123 - That HB 123 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Bengtson, Himsl, D. Manning, McCallum.
Total 4

Absent or not voting: None.
Total 0

HJR 6 - That HJR 6 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Bengtson, Himsl, D. Manning, McCallum.
Total 4

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Jacobson moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 43 passed as follows:

Ayes: Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Galt, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, R. Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Story, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 32

Noes: Aklestad, Anderson, Boylan, Farrell, Gage, Goodover, Hammond, Kolstad, Severson, Shaw, Smith, Stephens, Thayer, Tveit.
Total 14

Excused: Bengtson, Himsl, D. Manning, McCallum.
Total 4

Absent or not voting: None.
Total 0

SB 49 passed as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Fuller, Gage, Galt, Haffey, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, R. Manning, Mazurek, Mohar, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 39

Noes: Daniels, Farrell, Goodover, Hager, Kolstad, Neuman, Severson.
Total 7

Excused: Bengtson, Himsl, D. Manning, McCallum.
Total 4

Absent or not voting: None.
Total 0

SB 85 passed as follows:

Ayes: Anderson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 42

Noes: Aklestad, Boylan, Galt, Severson.

Total 4

Excused: Bengtson, Himsl, D. Manning, McCallum.
Total 4

Absent or not voting: None.
Total 0

SB 90 passed as follows:

Ayes: Aklestad, Anderson, Boylan, Brown, Conover, Eck, Fuller, Galt, Hager, Hirsch, Jacobson, Keating, Lane, Lybeck, R. Manning, Mazurek, Neuman, Pinsoneault, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Williams.
Total 27

Noes: Blaylock, Christiaens, Crippen, Daniels, Farrell, Gage, Goodover, Haffey, Halligan, Hammond, Harding, Kolstad, Lynch, Mohar, Regan, Severson, Van Valkenburg, Yellowtail, Mr. President.
Total 19

Excused: Bengtson, Himsl, D. Manning, McCallum.
Total 4

Absent or not voting: None.
Total 0

SB 91 passed as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Bengtson, Himsl, D. Manning, McCallum.
Total 4

Absent or not voting: None.
Total 0

SB 94 passed as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Bengtson, Himsl, D. Manning, McCallum.
Total 4

Absent or not voting: None.
Total 0

SB 102 passed as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Bengtson, Himsl, D. Manning, McCallum.
Total 4

Absent or not voting: None.
Total 0

SB 103 passed as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 44

Noes: Hammond, Stephens.
Total 2

Excused: Bengtson, Himsl, D. Manning, McCallum.
Total 4

Absent or not voting: None.
Total 0

HB 20 concurred in as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, R. Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Bengtson, Himsl, D. Manning, McCallum.
Total 4

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., January 28, 1985.

Motion carried.

Senate adjourned at 9:47 a.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

NINETEENTH LEGISLATIVE DAY

Helena, Montana
January 28, 1985

Senate Chambers
State Capitol

Senate convened at 3:01 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Hager, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the seventeenth legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 1/28/85
Correctly printed and placed on the members' desks: SB 10, SB 11, SB 34, SB 35, SB 36, SB 41, SB 66, SB 99, SB 105, SB 123, SB 146, SB 158, SB 165.
Considered correctly engrossed: SB 115.

Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 1/28/85
Recommend that at the beginning of business January 28, 1985, the following be employed:

Trudy Zelenka ..... Page
Cheryl Lopp ..... Page
Tay Johannes ..... Page
John Thompson ..... Page
Elizabeth Buzzas ..... Page
Michelle Johnson ..... Page
Duane Stevenson ..... Page
Benjamin Harris ..... Page
Debbie Lesmeister ..... Typist

Report adopted.

FINANCE AND CLAIMS (Regan, Chairman): 1/25/85
SJR 9, introduced bill, be amended as follows:

1. Title, lines 6 and 7.
Following: "MONTANA"
Strike: "ENDORSING THE RECOMMENDATIONS OF THE GOVERNOR"
Insert: "EXPRESSING THE VIEWS OF THE LEGISLATURE"

2. Page 2, line 16.
Following: line 16
Insert: "WHEREAS, the advisory council's study concluded that programs serving developmentally disabled persons could be pursued with cost savings and greater efficiency if they were under the control of a single agency; and"

3. Page 3, line 2.
Following: "accepted"
Insert: ", and (1) That the Legislature's highest priority with regard to the provision of programs for the developmentally disabled is to appropriately serve the developmentally disabled in the state.

(2) That expenditures for facilities made for the purpose of providing different services to the currently served population be consistent with the Legislature's highest priority as set in (1), including expenditures at Boulder River School and Hospital"

And, as amended, do pass. Report adopted.

JUDICIARY (Mazurek, Chairman): 1/28/85

SB 89, introduced bill, be amended as follows:

1. Page 2, line 25.
Following: "(1)"
Insert: "No execution against the earnings of a judgment debtor may take place unless the debtor has been given notice of the opportunity to file an affidavit pursuant to this section."

2. Page 3, line 8.
Following: "shall"
Insert: "upon motion of the judgment creditor"

3. Page 3, line 12.
Following: "attachment."
Insert: "If no motion is filed, levy of execution upon the earnings is automatically stayed."

4. Page 3, line 15.
Following: "court"
Insert: "directing disposition of the money following the hearing on the affidavit"

And, as amended, do pass. Report adopted.

SB 119, introduced bill, be amended as follows:

1. Page 2, line 9.
Following: "fees"
Insert: "commensurate with the cost of enforcement support services"

2. Page 2, lines 10 and 11.
Following: "collected" on line 10
Strike: remainder of line 10 through "services" on line 11

3. Page 2, line 11.
Following: "services."
Insert: "When payments are scheduled to be paid on an installment basis, a portion of the collection fee owed to the department shall be added to each payment."

And, as amended, do pass. Report adopted.

SB 132, introduced bill, be amended as follows:

1. Title, line 5.
Following: "INTO"
Strike: "FIRST AND SECOND-DEGREE OFFENSES"
Insert: "AGGRAVATED AND FELONY ASSAULT"

2. Page 1, line 11.
Following: "assault"
Strike: "in the first degree"

3. Page 1, line 14.
Following: "of"
Strike: "aggravated"

Insert: "felony"

4. Page 1, line 15.
Strike: "in the second degree"

5. Page 1, line 21.
Following: "assault"
Strike: remainder of line 21 through "degree" on line 22

6. Page 1, line 25.
Following: "of"
Strike: "aggravated"
Insert: "felony"
Following: "assault"
Strike: remainder of line 25 through "degree" on line 1, page 2

And, as amended, do pass. Report adopted.

SB 144, do pass. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman):
1/25/85

HB 107, be concurred in. Report adopted.
HB 119, third reading copy, be amended as follows:

1. Page 2, line 11.
Following: line 10
Insert: "(4) "Approved course of treatment" means a course of treatment for tuberculosis which includes medical treatment prescribed by a physician and consistent with accepted medical standards, as well as appropriate follow-up to assure public health and safety as set out in the rules of the department."

2. Page 3, line 19.
Following: "complete"
Strike: "a"
Insert: "an approved"

3. Page 3, line 20.
Following: "treatment"
Strike: "prescribed by the rules of the department"

4. Page 3, line 22.
Following: "follow"
Strike: "whatever"
Insert: "an approved"

5. Page 3, lines 23 and 24.
Following: "hospital" on line 23
Strike: remainder of line 23 through "department" in line 24

6. Page 4, line 11.
Following: "complete"
Strike: "a"
Insert: "an approved"

7. Page 4, lines 12 and 13.
Following: "treatment" in line 12
Strike: remainder of line 12 through "department" in line 13

8. Page 4, line 22.
Following: "follow"
Strike: "a"

Insert: "an approved"

9. Page 5, line 1.
Following: "complete"
Strike: "a"
Insert: "an approved"

10. Page 5, line 7.
Following: "complete"
Strike: "a"
Insert: "an approved"

11. Page 6, line 14.
Following: "completed"
Strike: "a"
Insert: "an approved"

12. Page 6, lines 14 and 15.
Following: "treatment"
Strike: remainder of line 14 through "department" in line 15

13. Page 6, line 19.
Following: "completed"
Strike: "a"
Insert: "an approved"

14. Page 6, line 20.
Following: line 19
Strike: "meeting department standards"

15. Page 7, line 2.
Following: "submitted to"
Strike: "a"
Insert: "an approved"

16. Page 7, lines 2 and 3.
Following: "treatment"
Strike: remainder of line 2 through "department" in line 3

And, as amended, be concurred in. Report adopted.

Committee adopted the following amendments to the statement of intent:

1. Page 2, line 5.
Following: "tuberculosis,"
Insert: "except for treatment prescribed by a physician in accordance with current acceptable medical standards;"

2. Page 2, line 6.
Following: "others"
Strike: ","
Insert: ";"

And, as amended, be adopted. Report adopted.

TAXATION (Towe, Chairman): 1/26/85

SB 53, introduced bill, be amended as follows:

1. Title, lines 6 through 8.
Following: "Entitled: "AN ACT" on line 6
Strike: remainder of line 6 through "PERMITS;" on line 8
Insert: "PROVIDING INCREASED FLEXIBILITY IN TRANSFERRING ALL-BEVERAGES LICENSES BY REVISING TRANSFER QUOTA LIMITATIONS; ELIMINATING THE PROHIBITION OF

TRANSFERRING A PREVIOUSLY TRANSFERRED LICENSE; REDUCING THE ANNUAL FEE FOR A CATERING LICENSE; REVISING THE PROCEDURE FOR A CATERING ENDORSEMENT; REDUCING THE FEE FOR CATERING AN EVENT;"

2. Title, line 9.
Following: "WAIVE"
Strike: "THE"
Insert: "CERTAIN"
Following: "REQUIREMENTS"
Insert: "FOR SPECIAL PERMITS"

3. Title, lines 9 through 11.
Following: ";" on line 9
Strike: remainder of line 9 through "OBTAINED" on line 11
Insert: "ALLOWING LOCAL HEALTH DEPARTMENT PARTICIPATION IN APPROVING CATERED PREMISES AND LOCATIONS FOR EVENTS UNDER SPECIAL PERMITS"

4. Page 2, line 4.
Following: "than"
Strike: "33%"
Insert: "40%"

5. Page 2, line 7.
Following: "than"
Strike: "43%"
Insert: "50%"

6. Page 2, line 24 through line 1, page 3.
Strike: subsection (d) in its entirety

7. Page 3, line 6.
Following: "attending"
Strike: "a"
Insert: "one or more"
Following: "special"
Strike: "event"
Insert: "events"

8. Page 3, line 8.
Following: "where"
Strike: "the"
Insert: "such an"

9. Page 3, line 10.
Following: "(b)"
Strike: "A written application"
Insert: "The annual fee"

10. Page 3, lines 11 and 12.
Following: line 10
Strike: "and" on line 11 through "approval" on line 12
Insert: "is $125 and the fee for each event catered is $5 a day"

11. Page 3, lines 13 through 18.
Following: "(c)" on line 13
Strike: remainder of line 13 through "describe" on line 18
Insert: "There must be filed with the department:

(i) a statement for each event for which the licensee intends to provide catering services, describing"

12. Page 3, line 20.
Following: "held"
Strike: "."
Insert: "; and

(ii) a written statement of approval of the premises by the local law enforcement agency that has jurisdiction over the premises where the event is to be held and either the department of health and environmental sciences or the local health department that has jurisdiction over the premises where the event is to be held."

13. Page 3, line 20 through line 11 on page 4.
Following: "held." on page 3, line 20
Strike: remainder of line 20 through "held." on line 11 on page 4
Insert: "(d) An all-beverages licensee who holds a catering endorsement granted under this subsection (2) may not cater one event or events in one location for more than 30 days within each calendar year."

14. Page 5, lines 14 and 15.
Following: "by" on line 14
Strike: remainder of line 14 through "and" on line 15

15. Page 5, line 17.
Following: "held"
Insert: "and either the department of health and environmental sciences or the local health department that has jurisdiction over the premises where the event is to be held"

16. Page 5, line 24 through line 2 on page 6.
Strike: subsection (d) in its entirety

17. Page 7, lines 6 through 12.
Strike: section 5 in its entirety
Renumber: subsequent section

18. Page 7, line 13.
Following: "1"
Strike: ","
Insert: "and"

19. Page 7, line 14.
Following: "2"
Strike: ", and 5"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 1/26/85

HB 34, introduced by Keenan

HB 114, introduced by Miles

HB 144, introduced by Marks

HB 148, introduced by Manuel

HB 153, introduced by Bradley

HB 172, introduced by Sands

HB 178, introduced by Ream

HB 194, introduced by Koehnke

HB 196, introduced by J. Brown

HB 202, introduced by Waldron

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 259, introduced by Van Valkenburg, Donaldson, (By Request of the Department of Institutions). Referred to Committee on State Administration.

SB 260, introduced by Daniels. Referred to Committee on Local Government.

SB 261, introduced by Lynch, Stephens, Crippen, J.K. Moore, Goodover, Kolstad, Addy, Daniels, Regan, Blaylock, Bengtson, Towe, Keating, Jacobson, Conover, Haffey, Pavlovich, Ramirez, Harrington, Harbin. Referred to Committee on Taxation.

SB 262, introduced by Shaw, Abrams, Gage. Referred to Committee on State Administration.

SB 263, introduced by Harding, (By Request of the Department of Commerce). Referred to Committee on State Administration.

The following House bills were introduced, read first time, and referred to committees:

HB 34, introduced by Keenan, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Taxation.

HB 114, introduced by Miles, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Public Health, Welfare and Safety.

HB 144, introduced by Marks, Asay, Donaldson, Lane, Yellowtail, H. Hammond, Eudaily, Keyser. Referred to Committee on Education and Cultural Resources.

HB 148, introduced by Manuel, Ernst. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 153, introduced by Bradley, Waldron, Miles, Harper, Vincent. Referred to Committee on State Administration.

HB 178, introduced by Ream, Hager, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Natural Resources.

HB 196, introduced by J. Brown. Referred to Committee on Local Government.

HB 202, introduced by Waldron, (By Request of the Department of Institutions). Referred to Committee on Public Health, Welfare and Safety.

HB 172, introduced by Sands. Referred to Committee on Taxation.

HB 194, introduced by Koehnke, Zabrocki, Darko, Ellison, Campbell, Hanson, Kadas, Hansen. Referred to Committee on Education and Cultural Resources.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Tveit in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 19 - That SB 19 do pass. Senator Lynch moved that SB 19 be placed below SB 122. Motion carried unanimously.

SB 79 - That SB 79, second reading copy, be amended as follows:

1. Page 13, line 21.
Following: "exceed"
Strike: "$5,000"
Insert: "$500"

2. Page 15, lines 11 and 12.
Strike: section 24 in its entirety

3. Title, line 8.
Following: "BOARD"
Strike: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

That SB 79, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

SB 122 - That SB 122, second reading copy, be amended as follows:

1. Page 4, line 14.
Strike: "Sections"
Insert: "Section"
Following: "~~through 4~~"

Strike: "AND 3 are"
Insert: "is"

2. Page 4, line 16.
Following: "to"
Strike: "sections"
Insert: "section"
Strike: "AND 3"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

That SB 122, statement of intent, be further amended as follows:

1. Page 1, line 5.
Following: "Because"
Strike: "sections 4 and 5 delegate"
Insert: "section 3 delegates"

Amendment to statement of intent passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

That SB 122, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens,

Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

SB 19 - That SB 19, second reading copy, be amended as follows:

1. Page 2, line 10.
Following: "children;"
Strike: "AND"

2. Page 2, line 11.
Following: "~~and~~"
Insert: "(h) day care centers; and"
Renumber: subsequent subsection

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: Keating.
Total 1

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

That SB 19, as amended, do pass. Motion carried as follows:

Ayes: Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Goodover, Haffey, Halligan, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Stimatz, Thayer, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 36

Noes: Aklestad, Anderson, Gage, Galt, Hammond, Harding, Keating, Shaw, Smith, Stephens, Story, Tveit.
Total 12

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

SB 124 - That SB 124 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

SB 143 - That SB 143 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

SB 145 - That SB 145 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

SB 155 - Senator Smith moved that SB 155 do pass. Senator Towe made a substitute motion that consideration on SB 155 be passed for the day. Substitute motion carried unanimously.

HB 5 - That HB 5 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 60 - That HB 60 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 61 - That HB 61 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 110 - That HB 110 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum,

Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 113 - That HB 113 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Tveit moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 51 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Haffey, Halligan, Harding, Hirsch, Jacobson, Lane, Lybeck, Manning, Mazurek, Mohar, Pinsoneault, Regan, Smith, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 33

Noes: Aklestad, Boylan, Farrell, Galt, Goodover, Hammond, Himsl, Keating, Kolstad, Lynch, McCallum, Neuman, Severson, Shaw, Tveit.
Total 15

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

SB 60 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

Senator Hager present at this time.

SB 87 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 114 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 157 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan,

Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 39

Noes: Aklestad, Crippen, Gage, Hammond, Harding, McCallum, Shaw, Smith, Thayer, Tveit.
Total 10

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 8 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 87 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., January 29, 1985.

Motion carried.

Senate adjourned at 4:54 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

TWENTIETH LEGISLATIVE DAY

Helena, Montana
January 29, 1985

Senate Chambers
State Capitol

Senate convened at 3:00 p.m., President Pro Tempore Blaylock presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Norman, excused. Quorum present.

Mr. President Pro Tempore: We, your Committee on Bills and Journal, having examined the daily journals for the eighteenth and nineteenth legislative days, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 1/29/85
Correctly printed and placed on the members' desks: SB 53, SB 89, SB 119, SB 132, SB 144, SJR 9.
Correctly engrossed: SB 19, SB 79, SB 122.
Considered correctly engrossed: SB 124, SB 143, SB 145.
Correctly enrolled: SJR 1.
Examined by the sponsor (Mazurek) and found to be correct: SJR 1.
Signed by the President Pro Tempore at 9:00 a.m., 1/29/85: SJR 1.

Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 1/29/85
SB 120, do pass. Report adopted.
SB 139, do pass. Report adopted.
SB 141, do pass. Report adopted.
SB 191, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Blaylock, Chairman): 1/28/85

SB 167, introduced bill, be amended as follows:

1. Page 1, line 11.
Following: "Fees."
Insert: "(1)"

2. Page 1, line 12.
Strike: "(1)"
Insert: "(a)"

3. Page 1, line 16.
Strike: "(2)"
Insert: "(b)"

4. Page 1.
Following: line 19
Insert: "(2) The fees collected pursuant to subsection (1) shall be deposited in a nonbudgeted fund as provided in 20-9-210, and such fees may be expended from such a fund only for the support of the course or activity from which the funds were derived."

And, as amended, do pass. Report adopted.

HB 10, be concurred in. Report adopted.
HB 80, be concurred in. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 1/29/85

SB 131, do pass. Report adopted.
SB 138, do pass. Report adopted.

TAXATION (Towe, Chairman): 1/29/85
SB 106, do pass. Report adopted.
HB 28, be concurred in. Report adopted.
HB 31, be concurred in. Report adopted.
HB 32, be concurred in. Report adopted.
HB 42, be concurred in. Report adopted.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 1/28/85

HB 111, introduced by D. Brown

HB 136, introduced by Ellison

HB 140, introduced by Asay

HB 154, introduced by Pistoria

HB 167, introduced by Asay

HB 176, introduced by Bardanouve

HB 189, introduced by Ream

MOTIONS

Senator Van Valkenburg moved that SB 72 be taken from second reading and that it be rereferred to the Committee on Taxation. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail.
Total 26

Noes: Aklestad, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 21

Excused: Mr. President.
Total 1

Absent or not voting: McCallum.
Total 1

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 264, introduced by Mohar, (By Request of the Department of State Lands). Referred to Committee on Natural Resources.
SB 265, introduced by Mohar, (By Request of the Department of State Lands). Referred to Committee on Local Government.
SB 266, introduced by Halligan. Referred to Committee on Local Government.
SB 267, introduced by Halligan. Referred to Committee on Judiciary.
SB 268, introduced by Halligan, (By Request of the Board of Crime Control). Referred to Committee on Judiciary.

SB 269, introduced by B. Brown, Blaylock, O'Hara, Peck. Referred to Committee on Education and Cultural Resources.

SB 270, introduced by Haffey, Menahan, Harrington, Raney, Lynch, Quilici, D. Brown, Nathe, Keenan, Driscoll, Daniels, E. Smith, H. Hammond, Stimatz, Jacobson, Lane. Referred to Committee on Finance and Claims.

SB 271, introduced by McCallum. Referred to Committee on Education and Cultural Resources.

SB 272, introduced by Mohar, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Natural Resources.

SB 273, introduced by Thayer, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Natural Resources.

SB 274, introduced by Farrell, (By Request of the Department of Commerce). Referred to Committee on State Administration.

SB 275, introduced by Eck, Lory, J. Brown, (By Request of the Board of Architects). Referred to Committee on State Administration.

The following House bills were introduced, read first time, and referred to committees:

HB 111, introduced by D. Brown. Referred to Committee on Education and Cultural Resources.

HB 136, introduced by Ellison, (By Request of the Department of Fish, Wildlife, and Parks). Referred to Committee on Fish and Game.

HB 140, introduced by Asay, Keller. Referred to Committee on Taxation.

HB 154, introduced by Pistoria. Referred to Committee on Taxation.

HB 167, introduced by Asay, Hayne, Keller. Referred to Committee on Fish and Game.

HB 176, introduced by Bardanouve, (By Request of the Department of Administration). Referred to Committee on Taxation.

HB 189, introduced by Ream, Hager, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Public Health, Welfare and Safety.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 115 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 46

Noes: Aklestad, Goodover.
Total 2

Excused: Mr. President.
Total 1

Absent or not voting: None.
Total 0

HB 76 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 47

Noes: Story.
Total 1

Excused: Mr. President.
Total 1

Absent or not voting: None.
Total 0

HB 123 concurred in as follows:

Ayes: Aklestad, Anderson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 43

Noes: Bengtson, Boylan, Hammond, Himsl, Thayer.
Total 5

Excused: Mr. President.
Total 1

Absent or not voting: None.
Total 0

HJR 6 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 48

Noes: None.
Total 0

Excused: Mr. President.
Total 1

Absent or not voting: None.
Total 0

At the request of the President Pro Tempore, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Yellowtail in the Chair.

Mr. President Pro Tempore: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 10 - That SB 10, being a Constitutional Amendment, pass the Senate pursuant to Rule 6-34. Motion failed as follows:

Ayes: Christiaens, Daniels, Eck, Fuller, Haffey, Hirsch, Jacobson, Kolstad, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Stephens, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail.
Total 21

Noes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Farrell, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Keating, Lane, McCallum, Regan, Severson, Shaw, Smith, Story, Thayer, Tveit.
Total 27

Excused: Mr. President.
Total 1

Absent or not voting: None.
Total 0

SB 11 - That SB 11, second reading copy, be amended as follows:

1. Page 3, line 1.
Following: page 2
Insert: "(2) Long-term funds may be invested in common stocks of any corporation provided that no investment may be made at any time which would cause the book value of such investments in any long-term fund to exceed 50% of the book value of such fund or would cause the stock of one corporation to exceed 2% of the book value of such long-term fund."

Renumber: subsequent subsections

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 48

Noes: None.
Total 0

Excused: Mr. President.
Total 1

Absent or not voting: None.
Total 0

That SB 11, as amended, do pass. Motion carried as follows:

Ayes: Bengtson, Blaylock, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail.
Total 27

Noes: Aklestad, Anderson, Boylan, Brown, Farrell, Gage, Galt, Goodover, Hammond, Harding, Himsl, Lane, McCallum, Severson, Shaw, Smith, Story, Thayer, Tveit.
Total 19

Excused: Mr. President.
Total 1

Absent or not voting: Hager, Stephens.
Total 2

SB 34 - That SB 34 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 48

Noes: None.
Total 0

Excused: Mr. President.
Total 1

Absent or not voting: None.
Total 0

SB 35 - That SB 35 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 48

Noes: None.
Total 0

Excused: Mr. President.
Total 1

Absent or not voting: None.
Total 0

SB 36 - That SB 36 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 48

Noes: None.
Total 0

Excused: Mr. President.
Total 1

Absent or not voting: None.
Total 0

SB 41 - That SB 41 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail,
Total 48

Noes: None.
Total 0

Excused: Mr. President.
Total 1

Absent or not voting: None.
Total 0

SB 66 - That SB 66 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 48

Noes: None.
Total 0

Excused: Mr. President.
Total 1

Absent or not voting: None.
Total 0

SB 99 - That SB 99 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 48

Noes: None.
Total 0

Excused: Mr. President.
Total 1

Absent or not voting: None.

Total 0

SB 105 - That SB 105 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 48

Noes: None.
Total 0

Excused: Mr. President.
Total 1

Absent or not voting: None.
Total 0

SB 123 - That SB 123 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 48

Noes: None.
Total 0

Excused: Mr. President.
Total 1

Absent or not voting: None.
Total 0

SB 146 - Senator Fuller moved that consideration on SB 146 be passed. Motion carried unanimously.

SB 155 - That SB 155 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 48

Noes: None.
Total 0

Excused: Mr. President.
Total 1

Absent or not voting: None.
Total 0

SB 158 - That SB 158 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 48

Noes: None.
Total 0

Excused: Mr. President.
Total 1

Absent or not voting: None.
Total 0

SB 165 - That SB 165 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 48

Noes: None.
Total 0

Excused: Mr. President.
Total 1

Absent or not voting: None.
Total 0

HB 107 - That HB 107 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 48

Noes: None.
Total 0

Excused: Mr. President.
Total 1

Absent or not voting: None.
Total 0

HB 119 - That HB 119 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 48

Noes: None.
Total 0

Excused: Mr. President.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President Pro Tempore in the Chair. Chairman Yellowtail moved the adoption of the committee report. Report adopted.

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., January 30, 1985.

Motion carried.

Senate adjourned at 5:14 p.m.

CHET BLAYLOCK
President Pro Tempore of the Senate

BONNIE WALLEM
Secretary of the Senate

TWENTY-FIRST LEGISLATIVE DAY

Helena, Montana
January 30, 1985

Senate Chambers
State Capitol

Senate convened at 3:01 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the twentieth legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 1/30/85
Correctly printed and placed on the members' desks: SB 106, SB 120, SB 131, SB 138, SB 139, SB 141, SB 167, SB 191.
Correctly engrossed: SB 11.
Considered correctly engrossed: SB 10, SB 34, SB 35, SB 36, SB 41, SB 66, SB 99, SB 105, SB 123, SB 155, SB 158, SB 165.
Signed by the President at 11:00 a.m., 1/30/85: HB 4, HB 7, HB 20, HB 78.

Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 1/30/85
SB 192, do pass. Report adopted.

JUDICIARY (Mazurek, Chairman): 1/29/85
SB 54, introduced bill, be amended as follows:

1. Title, line 5.
Following: "A"
Strike: "FELONY"
Insert: "MISDEMEANOR"

2. Page 1, line 18.
Following: "the"
Strike: "unethical"
Insert: "unreasonable"

3. Page 1, line 20.
Following: "another"
Insert: "by means of duress, menace, fraud, or undue influence"

4. Page 2, line 9.
Following: "age"
Insert: "and unable because of physical or mental condition to adequately protect himself or his property"

5. Page 2.
Following: line 21
Strike: "felony offense"
Insert: "misdemeanor"

6. Page 2, line 23.
Following: "exceed"
Strike: "$50,000"
Insert: "$500"

Following: "in the"
Strike: "state"

7. Page 2, line 24.
Following: line 23
Strike: "prison"
Insert: "county jail"
Following: "exceed"
Strike: "5 years"
Insert: "6 months"

And, as amended, do pass. Report adopted.

SB 104, introduced bill, be amended as follows:

1. Page 1, line 10.
Following: "of"
Strike: "clerk"
Insert: "jury commissioner"

2. Page 5, line 22.
Following: "the"
Strike: "clerk"
Insert: "jury commissioner"

3. Page 6, line 1.
Following: "that the"
Strike: "clerk"
Insert: "jury commissioner"

4. Page 6, line 3.
Following: "draw. The"
Strike: "clerk"
Insert: "jury commissioner"

And, as amended, do pass. Report adopted.

SB 235, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Lynch, Chairman): 1/29/85
HB 124, be concurred in. Report adopted.

LOCAL GOVERNMENT (Fuller, Chairman): 1/29/85
SB 93, introduced bill, be amended as follows:

1. Page 2, line 24.
Following: "at least"
Strike: "8"
Insert: "13"

2. Page 3, lines 2 and 3.
Following: "at least" in line 2
Strike: "8"
Insert: "13"
Following: "wide" in line 2
Strike: remainder of line 2 through "wide" in line 3

3. Page 3.
Following: line 3
Insert: "(d) A parking space reserved for handicapped persons must be designated by a sign showing the international symbol of accessibility and indicating that a permit is required. The sign must be attached to a wall or post in such a way that it is not obscured by a vehicle parked in the space."

And, as amended, do pass. Report adopted.

SB 126, do pass. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 1/30/85
SB 135, do pass. Report adopted.
SB 136, do pass. Report adopted.
SB 137, do pass. Report adopted.

Adverse Committee Reports

LABOR AND EMPLOYMENT RELATIONS (Lynch, Chairman): 1/29/85
SB 81, do not pass.

Majority Committee members are:

Senator Lynch
Senator Blaylock
Senator Haffey
Senator Manning
Senator Towe

Senator Lynch moved that the majority committee report be adopted. Senator Aklestad made a substitute motion that the minority committee report be adopted.

SB 81, do pass.

Minority Committee members are:

Senator Aklestad
Senator Keating
Senator Thayer

The substitute motion passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Mazurek, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams.
Total 28

Noes: Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lane, Lybeck, Lynch, Manning, Mohar, Neuman, Regan, Stimatz, Towe, Van Valkenburg, Yellowtail, Mr. President.
Total 21

Excused: None.
Total 0

Absent or not voting: None.
Total 0

The minority committee report was adopted.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 1/29/85

HB 127, introduced by Keyser

HB 146, introduced by Lory

HB 177, introduced by Ream

HB 195, introduced by Garcia

HB 197, introduced by Quilici

HB 227, introduced by Winslow

HB 246, introduced by Connelly

HB 263, introduced by Pistoria

HB 264, introduced by Pistoria

HB 286, introduced by Kitselman

HJR 8, introduced by Kitselman

MOTIONS

Senator Halligan moved that SB 146 be taken from second reading and that it be rereferred to the Committee on Business and Industry. Motion carried unanimously.

Senator Regan moved that HB 22 be taken from the Committee on Finance and Claims and that it be rereferred to the Committee on Highways and Transportation. Motion carried unanimously.

Senator Blaylock moved that the following names be added to the list of sponsors of SJR 6: Hirsch, Lybeck, Manning, Yellowtail, Lane, B. Williams, Halligan, Mohar, Conover, Regan, Eck, Christiaens, Towe, Van Valkenburg, Lynch, Jacobson, Stimatz, Daniels, Haffey, Mazurek, Fuller. Motion carried unanimously.

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 276, introduced by Harding, (By Request of the Department of Commerce). Referred to Committee on State Administration.

SB 277, introduced by Blaylock, Crippen, Neuman, Bengtson, Boylan, Conover, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Natural Resources.

SB 278, introduced by Boylan. Referred to Committee on Local Government.

SB 279, introduced by Bengtson, Patterson. Referred to Committee on Local Government.

SB 280, introduced by B. Williams, Ernst. Referred to Committee on Taxation.

SB 281, introduced by Fuller, C. Smith, J. Brown, Peterson, Ellison, Nelson, Hirsch, Blaylock, Thayer, Hager, B. Brown, Christiaens, Jones, Hayne, Hanson, Harp, Mazurek, Himsl, E. Smith, Harper, (By Request of the Department of Labor and Industry). Referred to Committee on Labor and Employment Relations.

SJR 14, introduced by B. Williams, J. Brown, Towe, Manning, Halligan, Ernst, Bengtson, Galt, Lane, Yellowtail, Boylan. Referred to Committee on Taxation.

The following House bills were introduced, read first time, and referred to committees:

HB 127, introduced by Keyser, Gould, (By Request of the Department of Commerce). Referred to Committee on Business and Industry.

HB 146, introduced by Lory, (By Request of the Department of Administration). Referred to Committee on State Administration.

HB 177, introduced by Ream, Marks, Harrington, Halligan. Referred to Committee on Taxation.

HB 195, introduced by Garcia, (By Request of the Department of Administration). Referred to Committee on Business and Industry.

HB 197, introduced by Quilici, Holliday, Campbell, Spaeth, Manuel, Pavlovich. Referred to Committee on State Administration.

HB 227, introduced by Winslow, Schultz, Simon, Pavlovich, J.K. Moore, Eck, Crippen, Hager, H. Hammond, Eudaily, Patterson, Brandewie, Rehberg, Regan, Ellison, Keyser, Thomas, Bardanouve, Phillips, Harp, Miller, Kitselman, Nathe, Bergene, Swift, Donaldson, Waldron, Keenan, Christiaens, Menahan, Hannah, Thoft, Devlin, Iverson, Switzer, Kolstad, Jenkins, Compton, Ramirez, Nelson, Gilbert, Gould, Harper, Ellerd, Quilici, Addy, O'Connell, Stephens, Schye, J. Brown, Hand, Krueger, Jones, C. Smith, Lory, B. Brown. Referred to Committee on State Administration.

HB 246, introduced by Connelly, Peck, Bachini, McCormick, (By Request of the Department of Justice, Motor Vehicle Division). Referred to Committee on Judiciary.

HB 263, introduced by Pistoria. Referred to Committee on Local Government.

HB 264, introduced by Pistoria. Referred to Committee on Business and Industry.

HB 286, introduced by Kitselman, Quilici, C. Smith, B. Williams, Shaw, Tveit, Hirsch, Ellison, Asay, Abrams, Manuel, D. Brown, Gage, Thayer, Sands, Schultz, Hart, Poff, Gilbert. Referred to Committee on Judiciary.

HJR 8, introduced by Kitselman, Patterson, Neuman, Fuller, Hirsch, Connelly, Holliday, Jenkins, Gilbert, Sands, Asay, Nelson, Miller, Devlin, Miles, Keenan, Addy, Harper, Garcia, Manning. Referred to Committee on State Administration.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 19 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Goodover, Haffey, Hager, Halligan, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Stimatz, Thayer, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 37

Noes: Aklestad, Daniels, Gage, Galt, Hammond, Harding, Keating, Shaw, Smith, Stephens, Story, Tveit.
Total 12

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 79 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Harding, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.

Total 40

Noes: Aklestad, Daniels, Hager, Hammond, Himsl, Hirsch, Mohar, Shaw, Smith.
Total 9

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 122 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: Shaw.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 124 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 143 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.

Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 145 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: Daniels.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 5 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: Goodover, Shaw.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 60 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: Hammond, Neuman.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 61 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 110 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Mr. President.
Total 45

Noes: Daniels, Mazurek, Pinsoneault, Yellowtail.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 113 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Harding in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 53 - That SB 53 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 89 - That SB 89 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 119 - That SB 119 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 132 - That SB 132 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 144 - That SB 144 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 9 - That SJR 9 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Crippen, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Smith, Stephens, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 36

Noes: Boylan, Conover, Farrell, Himsl, Lane, Lynch, Manning, Neuman, Shaw, Stimatz, Story.
Total 11

Excused: None.
Total 0

Absent or not voting: Daniels, Severson.
Total 2

HB 10 - That HB 10 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 28 - That HB 28 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 31 - That HB 31 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 32 - That HB 32 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 42 - That HB 42 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 80 - That HB 80 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair.

SB 89 - Senator Mazurek moved that SB 89 be segregated from the Committee of the Whole report and placed on second reading on the 22nd legislative day. Motion carried unanimously.

Chairman Harding moved the adoption of the committee report, as amended. Report adopted.

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., January 31, 1985.

Motion carried.

Senate adjourned at 5:11 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

TWENTY-SECOND LEGISLATIVE DAY

Helena, Montana
January 31, 1985

Senate Chambers
State Capitol

Senate convened at 3:03 p.m., President Norman presiding. Invocation by the Chaplain, Pastor Monsen. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the twenty-first legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 1/31/85
Correctly printed and placed on the members' desks: SB 54, SB 81, SB 93, SB 104, SB 126, SB 135, SB 136, SB 137, SB 192, SB 235, SJR 6.
Considered correctly engrossed: SB 53, SB 119, SB 132, SB 144, SJR 9.
Signed by the President at 9:00 a.m., 1/31/85: HB 87.

Report adopted.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Boylan, Chairman): 1/30/85
SB 154, introduced bill, be amended as follows:

1. Page 1, line 15.
Following: "on"
Insert: "the sale price of"

And, as amended, do pass. Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 1/31/85
SB 216, introduced bill, be amended as follows:

1. Title, lines 7 and 8.
Following: "LOANS;"
Strike: "REMOVING THE PROHIBITION ON SALE OF INSURANCE;"

2. Title, line 9.
Following: "32-5-301,"
Strike: "32-5-306,"

3. Page 8, line 15.
Following: "amounts of"
Strike: "$90,"

4. Page 8, line 19 through line 20, page 10.
Strike: section 3 in its entirety
Renumber: subsequent sections

And, as amended, do pass. Report adopted.

FINANCE AND CLAIMS (Regan, Chairman): 1/30/85
SB 189, do pass. Report adopted.
SB 224, do pass. Report adopted.

NATURAL RESOURCES (Eck, Chairman): 1/30/85

SB 112, introduced bill, be amended as follows:

1. Title, line 6.
Following: "TO"
Insert: "CERTAIN ENTITIES OF"
Following: "GOVERNMENT"
Strike: "AND ITS ENTITIES"
Following: "ENTITIES;"
Insert: "AND AUTHORIZING AGREEMENTS TO PROVIDE FOR NOTICE TO CONSERVATION DISTRICTS OF FEDERALLY APPROVED PROJECTS WITHIN DISTRICTS;"

2. Page 1, line 11.
Following: "government."
Strike: "This"
Insert: "Except as provided in 75-7-103(4), this"

3. Page 2, line 3.
Following: "agencies"
Insert: "engaging in a project on a stream whose natural flow is less than 5 cubic feet per second"

4. Page 2.
Following: line 16
Insert: "NEW SECTION. Section 3. Department authorized to make agreements. The department may enter into agreements with the United States army corps of engineers providing for notification to the district of each permit applied for or granted pursuant to 33 U.S.C. 403 or 1334. The department may also enter into agreements with the United States army corps of engineers or any other federal agency providing for notification to the district of projects undertaken by that agency within the district that affect rivers or streams or land immediately adjacent to them, whether or not the project requires a permit pursuant to 33 U.S.C. 403 or 1334. If the project is located outside a district, the agreements may provide notification to the county where the project is located."
Renumber: subsequent section

5. Page 2, line 18.
Strike: "Section 1 is"
Insert: "Sections 1 and 3 are"

And, as amended, do pass. Report adopted.

SB 166, do pass. Report adopted.
HB 6, be concurred in. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 1/31/85

SB 159, do pass. Report adopted.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The House, on 1/31/85, dissolved the free conference committee on SJR 3 and authorized the Speaker to appoint a new free conference committee to meet with a like committee from the Senate to confer on House amendments to SJR 3.

The Speaker appointed the following members:

Representative Ramirez
Representative Marks
Representative Harper

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 282, introduced by Farrell, (By Request of the Department of Commerce). Referred to Committee on Public Health, Welfare and Safety.

SB 283, introduced by Galt, Neuman, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Natural Resources.

SB 284, introduced by Towe. Referred to Committee on Taxation.

SB 285, introduced by Towe. Referred to Committee on Local Government.

SB 286, introduced by Hager, Christiaens. Referred to Committee on Public Health, Welfare and Safety.

SB 287, introduced by Bengtson. Referred to Committee on Public Health, Welfare and Safety.

SB 288, introduced by Eck, (By Request of the Department of Revenue). Referred to Committee on Taxation.

SB 289, introduced by E. Smith, H. Hammond, Galt, Kolstad, Zabrocki, Ernst, Campbell, Thomas, Swift, Schultz, Sales, Asay, McCallum, Harding, Aklestad, Keating, Tveit, Gage, Crippen, Stephens, Pinsoneault, Nathe, Glaser, Patterson, Iverson, Compton, Jenkins, Switzer, Hand, Gilbert, Keyser, Thoft, Winslow, Mercer, Simon, Devlin, O'Hara. Referred to Committee on Education and Cultural Resources.

SB 290, introduced by Daniels, (By Request of the Department of Justice). Referred to Committee on Judiciary.

SB 291, introduced by H. Hammond, Shaw, Aklestad, McCallum, Severson, Gage, Pinsoneault, Neuman, Compton. Referred to Committee on Local Government.

SJR 15, introduced by Christiaens, Waldron, Van Valkenburg, Yellowtail, Blaylock, Vincent, Harper, Quilici, Cohen, Kadas, Miles, Keenan. Referred to Committee on State Administration.

SR 2, introduced by Blaylock, Norman, Mazurek. Referred to Committee on Legislative Administration.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 10 failed to pass as follows:

Ayes: Christiaens, Crippen, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Kolstad, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Stephens, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 24

Noes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Lane, McCallum, Regan, Severson, Shaw, Smith, Story, Thayer, Tveit.
Total 25

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 11 passed as follows:

Ayes: Bengtson, Blaylock, Christiaens, Conover, Crippen, Daniels, Fuller, Haffey, Halligan, Hirsch, Jacobson, Kolstad, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Stephens, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 26

Noes: Aklestad, Anderson, Boylan, Brown, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Lane, McCallum, Regan, Severson, Shaw, Smith, Story, Thayer, Tveit.
Total 22

Excused: None.
Total 0

Absent or not voting: Eck.
Total 1

SB 34 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Haffey, Hirsch.
Total 2

SB 35 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 36 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz,

Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: Manning, Neuman.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 41 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 66 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 99 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 105 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: Shaw.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 123 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 155 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.

Total 0

Absent or not voting: None.
Total 0

SB 158 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 165 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Tveit.
Total 1

HB 107 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: Daniels.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 119 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Blaylock.
Total 1

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Mohar in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 89 - That SB 89, second reading copy, be amended as follows:

1. Page 2, line 25 through line 3, page 3.
Following: "(1)" on line 25
Strike: remainder of line 25 through "SECTION." on line 3, page 3

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: Daniels, Towe.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That SB 89, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson,

Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: Daniels.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 106 - That SB 106 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 120 - That SB 120 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Stephens, Story, Thayer, Towe, Van Valkenburg, Williams, Mr. President.
Total 40

Noes: Daniels, Lynch, Mazurek, Smith, Stimatz, Tveit, Yellowtail.
Total 7

Excused: None.
Total 0

Absent or not voting: Conover, Shaw.
Total 2

SB 131 - That SB 131 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Halligan in the Chair.

SB 138 - That SB 138 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Mohar in the Chair.

SB 139 - That SB 139 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Story, Thayer, Van Valkenburg, Williams.
Total 35

Noes: Blaylock, Daniels, Halligan, Lybeck, Lynch, Stimatz, Towe.
Total 7

Excused: None.
Total 0

Absent or not voting: Boylan, Fuller, Hirsch, Smith, Tveit, Yellowtail, Mr. President.
Total 7

SB 141 - That SB 141 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.

Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 167 - That SB 167 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 191 - That SB 191 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Galt, Hirsch, Keating, Smith.
Total 4

HB 124 - That HB 124 be concurred in. Motion carried as follows:

Ayes: Bengtson, Blaylock, Boylan, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Himsl, Hirsch, Jacobson, Kolstad, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Story, Towe, Van Valkenburg, Williams.
Total 27

Noes: Aklestad, Anderson, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Lane, Severson, Shaw, Smith, Stephens, Thayer, Tveit.
Total 18

Excused: None.
Total 0

Absent or not voting: Keating, Lynch, Yellowtail, Mr. President.

Total 4

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Mohar moved the adoption of the committee report. Report adopted.

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., February 1, 1985.

Motion carried.

Senate adjourned at 4:33 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

TWENTY-THIRD LEGISLATIVE DAY

Helena, Montana
February 1, 1985

Senate Chambers
State Capitol

Senate convened at 3:02 p.m., President Norman presiding. Invocation by the Chaplain, Pastor Monsen. Pledge of Allegiance to the Flag.

Roll call. All members present except Fuller, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the twenty-second legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 2/1/85
Correctly printed and placed on the members' desks: SB 112, SB 154, SB 159, SB 166, SB 189, SB 216, SB 224.
Correctly engrossed: SB 89.
Considered correctly engrossed: SB 106, SB 120, SB 131, SB 138, SB 139, SB 141, SB 167, SB 191.

Report adopted.

JUDICIARY (Mazurek, Chairman): 1/31/85
SB 185, introduced bill, be amended as follows:

1. Title, lines 4 and 5.
Following: "REASONABLE"
Strike: remainder of line 4 through "CUSTOMARY" on line 5

2. Page 1, line 20.
Following: "reasonable"
Strike: "and customary"

3. Page 1, line 21.
Following: "attorneys' fees"
Insert: "not to exceed 3% of the amount due on the obligation, both principal and interest, at the time of default"

And, as amended, do pass. Report adopted.

HB 88, be concurred in. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Lynch, Chairman): 1/31/85
SB 199, introduced bill, be amended as follows:

1. Title.
Following: line 5
Strike: "AT THE PREVAILING HOURLY RATE"
Insert: "THE RATE SPECIFIED IN THE REGISTERED AGREEMENT"

2. Page 1, lines 22 and 23.
Following: "paid" on line 22
Strike: "at least the prevailing hourly rate for an apprentice of that trade"
Insert: "the rate specified in the registered agreement"

3. Page 1, line 24.
Following: "worker"

Insert: "employed on a public works project"

4. Page 2, line 3.
Following: "for"
Strike: "journeymen"
Insert: "that craft"

And, as amended, do pass. Report adopted.

HB 137, be concurred in. Report adopted.

LOCAL GOVERNMENT (Fuller, Chairman): 1/31/85
SB 163, do pass. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 2/1/85
SB 133, do pass. Report adopted.
SB 134, do pass. Report adopted.

Senator Fuller present at this time.

Adverse Committee Reports

HIGHWAYS AND TRANSPORTATION (Stimatz, Chairman): 1/31/85
SB 101, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 41

Noes: Conover, Eck, Mohar, Regan.
Total 4

Excused: None.
Total 0

Absent or not voting: Blaylock, McCallum, Story, Towe.
Total 4

JUDICIARY (Mazurek, Chairman): 1/31/85
HB 109, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: McCallum, Stephens.
Total 2

TAXATION (Towe, Chairman): 2/1/85

SB 86, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Halligan, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Severson, Smith, Stephens, Stimatz, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 38

Noes: Galt, Goodover, Hager, Hammond, Harding, Lybeck, Shaw, Story, Thayer.
Total 9

Excused: None.
Total 0

Absent or not voting: McCallum, Regan.
Total 2

SPECIAL ORDERS OF THE DAY

James D. Horsman, Minister of Federal and Intergovernmental Affairs of Alberta, Canada, was escorted into the Senate chambers by Senators Stephens and Kolstad. Mr. Horsman addressed the members of the Senate.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 7.

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 292, introduced by Neuman, Stimatz, H. Hammond, Anderson, Cobb, Harp, (By Request of the Department of Justice, Division of Motor Vehicles). Referred to Committee on Judiciary.

SB 293, introduced by Van Valkenburg, McCallum, Gage. Referred to Committee on Local Government.

SB 294, introduced by Crippen, Peck, B. Brown, Pinsoneault, Mazurek, Eck, Blaylock, Yellowtail, Regan, Daniels, Halligan, Miles, Cody, Fritz, Keenan, Driscoll, Jacobson, Kadas, Bergene, D. Brown, Ernst, Harper, Miller, Ream, Bachini, J. Brown, Nathe, Addy, Shaw, Rapp-Svrcek, J. Hammond, Mercer, O'Hara, M. Williams, Harding, Connelly, Bradley, Compton, Conover. Referred to Committee on Judiciary.

SB 295, introduced by Eck, Harding, Hansen, Keenan, Towe, Blaylock, Driscoll, Haffey, Addy, Harper, Cohen, Miles, Krueger, Cody, Schye, Poff. Referred to Committee on State Administration.

SB 296, introduced by Stimatz, B. Brown, Lynch, Jacobson, Daniels. Referred to Committee on Public Health, Welfare and Safety.

SB 297, introduced by Eck, Manning, Raney, Waldron. Referred to Committee on Business and Industry.

SB 298, introduced by Yellowtail. Referred to Committee on Judiciary.

SB 299, introduced by Story. Referred to Committee on Judiciary.

SB 300, introduced by Himsl, Jacobson, Fuller, Keating, (By Request of the Legislative Audit Committee). Referred to Committee on State Administration.

SB 301, introduced by Conover, Lane, Yellowtail, B. Williams, Boylan, (By Request of the Department of State Lands). Referred to Committee on Agriculture, Livestock and Irrigation.

SB 302, introduced by Galt, H. Hammond, Farrell, Himsl, Boylan, Neuman, Shaw, Anderson, Lane, B. Williams, Yellowtail, Halligan, Conover. Referred to Committee on Highways and Transportation.

SB 303, introduced by Manning, Regan, Towe, Stimatz, Eck, Christiaens, Mohar, Conover, Lybeck, Blaylock, Daniels, (By Request of the Public Service Commission). Referred to Committee on Business and Industry.

SB 304, introduced by Mohar, Crippen, Halligan. Referred to Committee on Taxation.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 53 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Kolstad, Lane, Lybeck, Mazurek, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 38

Noes: Fuller, Haffey, Hirsch, Jacobson, Lynch, Manning, Neuman, Shaw, Stimatz.
Total 9

Excused: None.
Total 0

Absent or not voting: Keating, McCallum.
Total 2

SB 119 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: McCallum, Smith.
Total 2

SB 132 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 144 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 9 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Mr. President.
Total 40

Noes: Aklestad, Boylan, Daniels, Himsl, Lane, Lynch, Mazurek, Stimatz, Yellowtail.
Total 9

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 10 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.

Total 0

HB 28 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Pinsoneault, Shaw.
Total 2

HB 31 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 32 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 42 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: Shaw.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 80 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of Senator Stimatz, and without objection, Senator Stimatz' vote on HB 10 be recorded as yes.

At the request of Senator Van Valkenburg, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate recess subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 3:34 p.m.

Senate reconvened at 4:24 p.m.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Severson in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 54 - That SB 54 do pass. Motion carried as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Haffey, Hager, Halligan, Harding, Himsl, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Smith, Towe, Van Valkenburg, Yellowtail, Mr. President.
Total 29

Noes: Aklestad, Anderson, Boylan, Daniels, Gage, Galt, Goodover, Hammond, Hirsch, Lane, McCallum, Neuman, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Tveit, Williams.
Total 20

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 81 - That SB 81 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams.
Total 26

Noes: Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Yellowtail, Mr. President.
Total 23

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 93 - That SB 93 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 104 - That SB 104 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith,

Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 126 - That SB 126, second reading copy, be amended as follows:

1. Page 1, line 17.
Following: "7-6-2314(1)(a)"
Strike: "through (1)(c)"
Insert: "and (1)(b)"

Amendment failed as follows:

Ayes: Aklestad, Anderson, Boylan, Brown, Crippen, Eck, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Regan, Severson, Shaw, Smith, Stephens, Story, Tveit.
Total 24

Noes: Bengtson, Blaylock, Christiaens, Conover, Daniels, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Stimatz, Thayer, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 24

Excused: None.
Total 0

Absent or not voting: Lane.
Total 1

That SB 126 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 135 - That SB 135 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch,

Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 136 - That SB 136 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 137 - That SB 137 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Severson moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Conover moved that SB 302 be taken from the Committee on Highways and Transportation and that it be rereferred to the Committee on Fish and Game. Motion carried unanimously.

Senator Smith moved that the following names be added to the list of sponsors of SB 234: Kolstad, Crippen, Stephens, Story, Conover, B. Williams, Daniels, Lynch. Motion carried unanimously.

Senator Van Valkenburg moved that the Senate adjourn until 9:00 a.m., February 2, 1985.

Motion carried.

Senate adjourned at 5:59 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

TWENTY-FOURTH LEGISLATIVE DAY

Helena, Montana
February 2, 1985

Senate Chambers
State Capitol

Senate convened at 9:07 a.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Aklestad, Eck, Fuller, Halligan, Himsl, Hirsch, Lybeck, Neuman, Towe, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 2/2/85

Correctly printed and placed on the members' desks: SB 133, SB 134, SB 163, SB 185, SB 199.

Considered correctly engrossed: SB 54, SB 81, SB 93, SB 104, SB 126, SB 135, SB 136, SB 137.

Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 2/2/85

Recommend that at the close of business February 2, 1985, the following employment be terminated:

Trudy Zelenka ..... Page
Cheryl Lopp ..... Page
Tay Johannes ..... Page
John Thompson ..... Page
Elizabeth Buzzas ..... Page
Michelle Johnson ..... Page
Duane Stevenson ..... Page
Benjamin Harris ..... Page

Report adopted.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Boylan, Chairman): 2/1/85

SJR 10, introduced bill, be amended as follows:

1. Page 2, line 11.
Following: "party."
Insert: "The senate committee on committees shall appoint the senate members and the speaker of the house shall appoint the house members."

2. Page 3, line 7.
Following: "Representatives,"
Insert: "the U.S. Senate Agriculture Committee, the U.S. House Agriculture Committee,"

And, as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Blaylock, Chairman): 2/1/85

SB 175, introduced bill, be amended as follows:

1. Title, line 5.
Following: "FOR"
Insert: "THIRD-CLASS"

2. Page 2, line 1.
Following: "payment""

Insert: "for first- and second-class school districts"
Strike: "$500"
Insert: "$300"

3. Page 2, line 3.
Following: "fund."
Insert: ""General bonus payment" for third-class school districts shall be $500 per eligible pupil per year for a period of 3 years and will be deposited in the enlarged district's general fund."

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Fuller, Chairman): 2/1/85
SB 160, introduced bill, be amended as follows:

1. Page 1, line 14.
Following: "wages"
Strike: "and of"
Insert: ","

2. Page 1, line 15.
Following: "support"
Insert: ", and capital outlay"

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Eck, Chairman): 2/1/85
SB 236, do pass. Report adopted.
SJR 12, do pass. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman): 2/1/85
SB 121, introduced bill, be amended as follows:

1. Page 3, line 5.
Following: "associations"
Insert: "or private organizations"

And, as amended, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
SB 121

A statement of intent is desirable for this bill to clarify the existing rule-making authority granted to the department of social and rehabilitation services under section 41-3-1103(2)(c), MCA, as it applies to the proposed amendment to section 41-3-1103(1), MCA.

The department of social and rehabilitation services may adopt rules to carry out the administration of all funds appropriated and allocated to the department to pay for residential alcohol and drug treatment for indigent youths in need of care, youths in need of supervision, and delinquent youths who require such treatment.

It is contemplated that the rules shall address the following:

(1) criteria for determining whether residential treatment for alcohol and drug abuse is necessary and appropriate in each case;
(2) criteria for determining whether the youth's family is indigent; and
(3) procedures for administering the funds.

REPORTS OF SELECT COMMITTEES

The Secretary of the Senate announced the free conference committee on SJR 3 will meet on Monday, February 4, 1985, in Room 402.

MOTIONS

Senator Haffey moved that the following names be added to the list of sponsors of SB 270: Ernst, Campbell, Tveit. Motion carried unanimously.

Senator Hammond moved that SB 138 be taken from third reading and placed on second reading on the 25th legislative day. Motion carried unanimously.

Senator Van Valkenburg moved that consideration on SB 159 be passed this legislative day. Motion carried unanimously.

Members of the Taxation Committee, Senators Eck, Halligan, Hirsch, Lybeck, Neuman, and Towe, present at this time.

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 305, introduced by Hager, Rehberg, Keating. Referred to Committee on Education and Cultural Resources.
SB 306, introduced by Haffey, Towe, Neuman, Halligan, Eck, Harper, Krueger, (By Request of the Montana Economic Development Board). Referred to Committee on Business and Industry.
SB 307, introduced by Fuller, (By Request of the Department of Revenue). Referred to Committee on Taxation.
SB 308, introduced by Blaylock, Pinsoneault, Lynch, Lybeck, Jacobson, Farrell, B. Brown, Mohar. Referred to Committee on State Administration.
SB 309, introduced by Mohar, Miles, Ream, Halligan, Regan, Manning, B. Brown. Referred to Committee on Taxation.
SB 310, introduced by Jacobson, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Public Health, Welfare and Safety.
SB 311, introduced by Halligan, (By Request of the Office of the Governor). Referred to Committee on Public Health, Welfare and Safety.
SB 312, introduced by Eck, J. Brown, Bergene, Mohar. Referred to Committee on Public Health, Welfare and Safety.
SJR 16, introduced by Yellowtail, Hanson, Hirsch, Shaw. Referred to Committee on Natural Resources.
SJR 17, introduced by Towe, McCallum, Norman, Eck, Regan, Severson. Referred to Committee on Taxation.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 89 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 44

Noes: Daniels, Neuman.
Total 2

Excused: Aklestad, Fuller, Himsl.

Total 3

Absent or not voting: None.
Total 0

SB 106 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 43

Noes: Daniels, Neuman, Regan.
Total 3

Excused: Aklestad, Fuller, Himsl.
Total 3

Absent or not voting: None.
Total 0

SB 120 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Keating, Kolstad, Lane, Lybeck, Manning, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Story, Thayer, Towe, Van Valkenburg, Williams, Mr. President.
Total 37

Noes: Jacobson, Lynch, Mazurek, Mohar, Smith, Stimatz, Tveit, Yellowtail.
Total 8

Excused: Aklestad, Fuller, Himsl.
Total 3

Absent or not voting: McCallum.
Total 1

SB 131 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Aklestad, Fuller, Himsl.
Total 3

Absent or not voting: None.
Total 0

SB 139 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Galt, Goodover, Haffey, Hager,

Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Williams, Yellowtail, Mr. President.
Total 42

Noes: Halligan.
Total 1

Excused: Aklestad, Fuller, Himsl.
Total 3

Absent or not voting: McCallum, Regan, Van Valkenburg.
Total 3

SB 141 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 43

Noes: None.
Total 0

Excused: Aklestad, Fuller, Himsl.
Total 3

Absent or not voting: Eck, McCallum, Stimatz.
Total 3

SB 167 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 44

Noes: None.
Total 0

Excused: Aklestad, Fuller, Himsl.
Total 3

Absent or not voting: McCallum, Severson.
Total 2

SB 191 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Yellowtail, Mr. President.
Total 45

Noes: None.

Total 0

Excused: Aklestad, Fuller, Himsl.
Total 3

Absent or not voting: Williams.
Total 1

HB 124 concurred in as follows:

Ayes: Bengtson, Blaylock, Boylan, Christiaens, Conover, Daniels, Eck, Haffey, Halligan, Harding, Hirsch, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Smith, Stimatz, Story, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 29

Noes: Aklestad, Anderson, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Himsl, Jacobson, Keating, McCallum, Severson, Shaw, Stephens, Thayer, Tveit.
Total 19

Paired: Lynch, Stimatz, Ayes; Aklestad, Himsl, Noes.

Excused: Fuller.
Total 1

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Williams in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 192 - That SB 192 do pass. Motion carried as follows: .

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Aklestad, Fuller, Himsl.
Total 3

Absent or not voting: None.
Total 0

SB 235 - That SB 235 do pass. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Galt, Goodover, Haffey, Hager,

Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Aklestad, Fuller, Himsl.
Total 3

Absent or not voting: None.
Total 0

HB 6 - That HB 6 be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Aklestad, Fuller, Himsl.
Total 3

Absent or not voting: None.
Total 0

SB 112 - That SB 112 do pass. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Aklestad, Fuller, Himsl.
Total 3

Absent or not voting: None.
Total 0

SB 154 - That SB 154 do pass. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.

Total 0

Excused: Aklestad, Fuller, Himsl.
Total 3

Absent or not voting: None.
Total 0

SB 166 - That SB 166 do pass. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Aklestad, Fuller, Himsl.
Total 3

Absent or not voting: None.
Total 0

SB 189 - That SB 189 do pass. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Aklestad, Fuller, Himsl.
Total 3

Absent or not voting: None.
Total 0

SB 216 - That SB 216 do pass. Motion carried as follows:

Ayes: Anderson, Boylan, Brown, Christiaens, Conover, Crippen, Galt, Goodover, Halligan, Hammond, Harding, Kolstad, Lane, Manning, McCallum, Neuman, Severson, Shaw, Smith, Stephens, Story, Thayer, Williams.
Total 23

Noes: Bengtson, Blaylock, Daniels, Eck, Farrell, Haffey, Hager, Hirsch, Jacobson, Lybeck, Lynch, Mazurek, Mohar, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Yellowtail, Mr. President.
Total 20

Excused: Aklestad, Fuller, Himsl.
Total 3

Absent or not voting: Gage, Keating, Tveit.
Total 3

SB 224 - That SB 224 do pass. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Aklestad, Fuller, Himsl.
Total 3

Absent or not voting: None.
Total 0

HB 88 - That HB 88 be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 45

Noes: Farrell.
Total 1

Excused: Aklestad, Fuller, Himsl.
Total 3

Absent or not voting: None.
Total 0

HB 137 - That HB 137 be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Aklestad, Fuller, Himsl.
Total 3

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Williams moved the adoption of the committee report.

SB 216 - Senator Goodover made a substitute motion that SB 216 be segregated from the Committee of the Whole report. Motion withdrawn.

Committee of the Whole report adopted.

ANNOUNCEMENTS

Senator Van Valkenburg moved that the half hour lobbying rule be temporarily suspended in order to permit the public to enjoy the celebration of Senator Hager's birthday. Motion carried unanimously.

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., February 4, 1985.

Motion carried.

Senate adjourned at 10:42 a.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

TWENTY-FIFTH LEGISLATIVE DAY

Helena, Montana
February 4, 1985

Senate Chambers
State Capitol

Senate convened at 3:00 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Lane, Lybeck, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the twenty-third legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 2/4/85
Correctly printed and placed on the members' desks: SB 121, SB 160, SB 175, SB 236, SJR 10, SJR 12.
Considered correctly engrossed: SB 112, SB 154, SB 166, SB 189, SB 192, SB 216, SB 224, SB 235.
Signed by the President at 11:00 a.m., 2/2/85: HB 5, HB 60, HB 61, HB 76, HB 110, HB 113, HB 123, HJR 6.

Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 2/4/85
Recommend that at the beginning of business February 4, 1985, the following be employed:

Kimberly Hollandsworth ..... Page
Barbi Halverson ..... Page
Sara Hoyer ..... Page
Laura Shelton ..... Page
Kammie Morrison ..... Page
Katherine Beaton ..... Page
Nancy Kelley ..... Page
Judy Altenbrun ..... Page

Report adopted.

JUDICIARY (Mazurek, Chairman): 2/4/85
SB 151, do pass. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 2/4/85
SB 162, do pass. Report adopted.
SB 164, do pass. Report adopted.

TAXATION (Towe, Chairman): 2/4/85
SB 76, introduced bill, be amended as follows:

1. Title, line 5.
Following: "A"
Strike: "24-MILL"
Insert: "15-MILL"

2. Page 1, line 20.
Following: "exceed"
Strike: "24"
Insert: "15"

3. Page 2.
Following: line 11
Strike: subsection (9) in its entirety
Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

SB 246, do pass. Report adopted.

Adverse Committee Reports

JUDICIARY (Mazurek, Chairman): 2/4/85

SB 148, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Goodover, Haffey, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 37

Noes: Brown, Galt, Hager, Himsl, Severson, Smith.
Total 6

Excused: Lane, Lybeck.
Total 2

Absent or not voting: Christiaens, Eck, McCallum, Shaw.
Total 4

SB 149, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lynch, Manning, Mazurek, Neuman, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 39

Noes: Brown, Galt, Goodover, Himsl, McCallum, Mohar, Pinsoneault, Shaw.
Total 8

Excused: Lane, Lybeck.
Total 2

Absent or not voting: None.
Total 0

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on SJR 3
Report No. 1, February 4, 1985

Mr. President:

We, your free conference committee on SJR 3, met and considered SJR 3, reference copy, and House Rules Committee amendments of 1/17/85.

We recommend as follows:

That the Senate accede to all House Rules Committee amendments of 1/17/85;

That SJR 3 be further amended as follows:

1. Page 34, line 25.
Strike: "50TH"
Insert: "60TH"

2. Page 35, line 2.
Strike: "50TH"
Insert: "60TH"

And that this conference committee report be adopted.

For the Senate:	For the House:
Van Valkenburg, Chairman	Ramirez, Chairman
Christiaens	Marks
Stephens	Harper

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 2/4/85

HB 70, introduced by Hand

HB 169, introduced by Donaldson

HB 175, introduced by Kadas

HB 213, introduced by J. Brown

HB 216, introduced by J. Moore

HB 217, introduced by J. Moore

HB 223, introduced by Ramirez

HB 233, introduced by Grady

HB 257, introduced by Harper

HB 258, introduced by Cohen

HB 260, introduced by Bardanouve

HB 267, introduced by Harbin

HB 280, introduced by Bergene

HB 285, introduced by Lory

HB 316, introduced by Krueger

HB 350, introduced by Schultz

HB 425, introduced by Spaeth

MOTIONS

Senator Tveit moved that HB 96 be taken from the Committee on Taxation and that it be rereferred to the Committee on Natural Resources. Motion carried unanimously.

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 313, introduced by Daniels. Referred to Committee on Judiciary.

SB 314, introduced by Jacobson, Van Valkenburg, Keenan, Hansen, Kadas. Referred to Committee on Public Health, Welfare and Safety.

SB 315, introduced by Eck, Regan, Eudaily. Referred to Committee on Education and Cultural Resources.

SB 316, introduced by Hirsch, Connelly, Mohar, Zabrocki, Darko, B. Brown. Referred to Committee on Education and Cultural Resources.

SB 317, introduced by Eck, Towe, Manning, Mohar, (By Request of the Public Service Commission). Referred to Committee on Business and Industry.

SB 318, introduced by Keating. Referred to Committee on Business and Industry.

SB 319, introduced by Jacobson, Bergene. Referred to Committee on Education and Cultural Resources.

SB 320, introduced by Tveit, Nathe, Gilbert, H. Hammond, Holliday, B. Williams, Schultz, Iverson, Ernst, Hanson, Devlin, Abrams, Shaw, Aklestad, Peck, Switzer, Boylan, E. Smith, Harding, Lane, Manuel, Poff, Schye, Cody, Anderson, Stephens, Gage, Conover. Referred to Committee on Education and Cultural Resources.

SB 321, introduced by Fuller, Mazurek, B. Brown. Referred to Committee on Judiciary.

SJR 18, introduced by Fuller, B. Brown, Pinsoneault, Mohar, Conover, Jacobson, Thoft, Ernst. Referred to Committee on Fish and Game.

The following House bills were introduced, read first time, and referred to committees:

HB 70, introduced by Hand. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 169, introduced by Donaldson. Referred to Committee on Public Health, Welfare and Safety.

HB 175, introduced by Kadas. Referred to Committee on Business and Industry.

HB 213, introduced by J. Brown. Referred to Committee on Labor and Employment Relations.

HB 216, introduced by J. Moore, (By Request of the Department of Administration). Referred to Committee on State Administration.

HB 217, introduced by J. Moore, (By Request of the Department of Administration). Referred to Committee on State Administration.

HB 223, introduced by Ramirez, Garcia. Referred to Committee on Business and Industry.

HB 233, introduced by Grady, Hanson, Campbell, Holliday, Asay, Keller, Donaldson, Brandewie, Hayne, Marks, Thoft, Jenkins, Switzer, Iverson. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 257, introduced by Harper, Winslow, Addy, Harp, Vincent. Referred to Committee on State Administration.

HB 258, introduced by Cohen, (By Request of the Flathead Basin Commission). Referred to Committee on Natural Resources.

HB 260, introduced by Bardanouve, (By Request of the Department of Administration). Referred to Committee on State Administration.

HB 267, introduced by Harbin, (By Request of the Department of Administration). Referred to Committee on Education and Cultural Resources.

HB 280, introduced by Bergene, (By Request of the Board of Pharmacy). Referred to Committee on Public Health, Welfare and Safety.

HB 285, introduced by Lory. Referred to Committee on Labor and Employment Relations.

HB 316, introduced by Krueger, Abrams, Grady, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Agriculture, Livestock and Irrigation.

HB 350, introduced by Schultz, Compton, Jenkins, Winslow, Holliday, Abrams, Koehnke, Manuel, (By Request of the Department of Agriculture). Referred to Committee on Agriculture, Livestock and Irrigation.

HB 425, introduced by Spaeth, Addy. Referred to Committee on Judiciary.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 54 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Regan, Smith, Stimatz, Thayer, Towe, Van Valkenburg, Yellowtail, Mr. President.
Total 33

Noes: Aklestad, Boylan, Daniels, Gage, Galt, Goodover, Hammond, Lane, Neuman, Pinsoneault, Severson, Shaw, Stephens, Story, Tveit, Williams.
Total 16

Paired: Lybeck, Aye; Lane, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 81 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams.
Total 26

Noes: Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Yellowtail, Mr. President.
Total 23

Paired: Anderson, Gage, Ayes; Lane, Lybeck, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 93 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lynch, Manning, Mazurek, Mohar, Neuman,

Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 44

Noes: None.
Total 0

Excused: Lane, Lybeck.
Total 2

Absent or not voting: Brown, McCallum, Mr. President.
Total 3

SB 104 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Lane, Lybeck.
Total 2

Absent or not voting: None.
Total 0

SB 126 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 45

Noes: Goodover, Stimatz.
Total 2

Excused: Lane, Lybeck.
Total 2

Absent or not voting: None.
Total 0

SB 135 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 45

Noes: Stimatz.
Total 1

Excused: Lane, Lybeck.
Total 2

Absent or not voting: Lynch.
Total 1

SB 136 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lynch, Manning, McCallum, Mohar, Neuman, Severson, Stephens, Thayer, Towe, Tveit, Van Valkenburg, Williams, Mr. President.
Total 37

Noes: Daniels, Mazurek, Pinsoneault, Shaw, Smith, Stimatz, Story, Yellowtail.
Total 8

Excused: Lane, Lybeck.
Total 2

Absent or not voting: Hammond, Regan.
Total 2

SB 137 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 43

Noes: Kolstad, Shaw, Smith.
Total 3

Excused: Lane, Lybeck.
Total 2

Absent or not voting: Galt.
Total 1

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Keating in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 133 - That SB 133 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz,

Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Lane, Lybeck.
Total 2

Absent or not voting: None.
Total 0

SB 134 - That SB 134, without objection, be moved to the bottom of the board.

SB 138 - That SB 138, third reading copy, be amended as follows:

1. Title, line 6.
Following: "FOR"
Insert: "STATE"

2. Page 1, line 12.
Following: "(1)"
Strike: "Whenever"
Insert: "Except as provided in subsection (4), whenever"

3. Page 3.
Following: line 6
Insert: "(4) Notwithstanding the provisions of subsections (1) and (2) above, any board, council, commission, trustee, or body acting for any county, municipality, or any public body other than the state may, in lieu of a bond from a licensed surety company, accept a good and sufficient bond with two or more sureties acceptable to the governmental body."

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Lane, Lybeck.
Total 2

Absent or not voting: None.
Total 0

That SB 138, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz,

Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Lane, Lybeck.
Total 2

Absent or not voting: None.
Total 0

SB 159 - That SB 159 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Lane, Lybeck.
Total 2

Absent or not voting: None.
Total 0

SB 163 - That SB 163 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Lane, Lybeck.
Total 2

Absent or not voting: None.
Total 0

SB 185 - That SB 185 do pass. Motion failed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Conover, Gage, Galt, Haffey, Hager, Halligan, Himsl, Hirsch, Keating, Manning, Mohar, Pinsoneault, Shaw, Story, Towe, Williams, Yellowtail.
Total 22

Noes: Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Goodover, Hammond, Harding, Jacobson, Kolstad, Lynch, Mazurek, McCallum, Neuman, Regan, Severson, Smith, Stephens, Thayer, Tveit, Van Valkenburg, Mr. President.

Total 23

Excused: Lane, Lybeck.
Total 2

Absent or not voting: Brown, Stimatz.
Total 2

That SB 185 be indefinitely postponed. Motion failed as follows:

Ayes: Christiaens, Crippen, Eck, Farrell, Goodover, Hammond, Harding, Himsl, Jacobson, Kolstad, Lynch, McCallum, Neuman, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Van Valkenburg, Mr. President.
Total 23

Noes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Daniels, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hirsch, Keating, Manning, Mazurek, Mohar, Pinsoneault, Towe, Williams, Yellowtail.
Total 23

Excused: Lane, Lybeck.
Total 2

Absent or not voting: Stimatz.
Total 1

SB 199 - That SB 199 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Lane, Lybeck.
Total 2

Absent or not voting: None.
Total 0

SB 134 - That SB 134 do pass. Motion carried as follows:

Ayes: Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Fuller, Haffey, Halligan, Harding, Hirsch, Jacobson, Kolstad, Manning, Mohar, Neuman, Pinsoneault, Stephens, Thayer, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 24

Noes: Aklestad, Anderson, Blaylock, Daniels, Eck, Farrell, Gage, Galt, Goodover, Hager, Hammond, Himsl, Keating, Lynch, Mazurek, McCallum, Regan, Severson, Shaw, Smith, Story, Tveit.
Total 22

Excused: Lane, Lybeck.
Total 2

Absent or not voting: Stimatz.

Total 1

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Keating moved the adoption of the committee report. Report adopted.

At the request of Senator Mazurek, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Mazurek moved that SB 185 be taken from second reading and that it be rereferred to the Committee on Judiciary. Motion carried unanimously.

Senator Kolstad moved that his vote on SB 54, third reading this day, be recorded as yes. Motion carried unanimously.

Senator Halligan moved that HB 264 be taken from the Committee on Business and Industry and that it be rereferred to the Committee on Judiciary. Motion carried unanimously.

ANNOUNCEMENTS

The Secretary of the Senate announced that the first Cooperative Agricultural Revitalization Effort (CARE) forum will be held Tuesday, February 5, at 7:00 p.m. in the former Supreme Court chambers. This first forum will cover the relationship of agriculture in Montana to the state's overall social and economic framework.

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., February 5, 1985.

Motion carried.

Senate adjourned at 4:48 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

TWENTY-SIXTH LEGISLATIVE DAY

Helena, Montana
February 5, 1985

Senate Chambers
State Capitol

Senate convened at 3:02 p.m., President Pro Tempore Blaylock presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Norman, Stimatz, excused. Quorum present.

Mr. President Pro Tempore: We, your Committee on Bills and Journal, having examined the daily journals for the twenty-fourth and twenty-fifth legislative days, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 2/5/85
Correctly printed and placed on the members' desks: SB 76, SB 151, SB 162, SB 164, SB 246.
Correctly engrossed: SB 138.
Considered correctly engrossed: SB 133, SB 134, SB 159, SB 163, SB 199.

Report adopted.

EDUCATION AND CULTURAL RESOURCES (Blaylock, Chairman): 2/4/85

SB 168, introduced bill, be amended as follows:

1. Page 2.
Following: line 14
Insert: "Section 2. Transition. The amendment to 20-3-201 made by this act is effective in each county in which, prior to the effective date of this act, the office of county superintendent of schools had been consolidated with another office upon:

(1) the beginning of the next term of office after the effective date of this act of the county officer with which the office of the county superintendent of schools has been consolidated; or

(2) if a contract was entered into under the provisions of 20-3-201, as it read prior to its amendment by this act, and the contract extends into the next term of the officer set forth in subsection (1), then upon the expiration of such contract."

And, as amended, do pass. Report adopted.

SJR 13, do pass. Report adopted.
HB 99, third reading copy, be amended as follows:

1. Title, line 7.
Following: "ENGINEER-IN-TRAINING"
Insert: "AND AS A PROFESSIONAL ENGINEER"

2. Title, line 8.
Following: "AMENDING"
Strike: "SECTION"
Insert: "SECTIONS 37-67-306 AND"

3. Page 2.

Following: line 9
Insert: "Section 2. Section 37-67-306, MCA, is amended to read:

"37-67-306. Qualifications of applicant for registration as professional engineer. The following is considered minimum evidence satisfactory to the board that the applicant is qualified for registration as a professional engineer:

(1) A graduate of an engineering or engineering technology curriculum of 4 years or more approved by the board as being of satisfactory standing, with a specific record of an additional 4 years or more of progressive experience on engineering projects of a grade and character which indicate to the board that the applicant may be competent to practice engineering, shall be admitted to an 8-hour written examination in the fundamentals of engineering and an 8-hour written examination in the principles and practices of engineering. Upon passing such examinations, the applicant shall be granted a certificate of registration to practice engineering in this state provided he is otherwise qualified.

(2) A graduate of ~~an engineering or~~ a related science curriculum of 4 years or more, other than ~~the ones approved by the board as being of satisfactory standing~~ engineering or engineering technology, with a specific record of 8 years or more of progressive experience on engineering projects of a grade and character which indicate to the board that the applicant may be competent to practice engineering, may be admitted to an 8-hour written examination in the fundamentals of engineering and an 8-hour written examination in the principles and practices of engineering. Upon passing such examinations, the applicant shall be granted a certificate of registration to practice engineering in this state provided he is otherwise qualified.

(3) A graduate of an engineering or related science curriculum of 4 years or more with a specific record of 20 years or more of progressive experience on engineering projects, of which at least 10 years have been in charge of important engineering projects, of a grade and character which indicate to the board that the applicant may be competent to practice engineering shall be admitted to an 8-hour written examination in the principles and practices of engineering. Upon passing such examination, the applicant shall be granted a certificate of registration to practice engineering in this state provided he is otherwise qualified.

(4) Engineering teaching in a college or university offering an approved engineering curriculum of 4 years or more may be considered as engineering experience in these requirements provided research, product development, or consulting has been a concurrent activity.""

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman): 2/4/85

HB 142, be concurred in. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 2/5/85

SB 178, do pass. Report adopted.
SB 196, do pass. Report adopted.
SB 198, do pass. Report adopted.

Adverse Committee Reports

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman):
2/4/85

SB 174, introduced bill, be amended as follows:

1. Page 2, line 7.
Following: "the ~~optometric~~"
Insert: "optometric"
Following: "or ~~optometric~~"
Insert: "optometric"

2. Page 2, line 12.
Following: "~~diagnosed,~~"
Insert: "optometrically diagnosed,"

3. Page 2, line 13.
Following: "~~optometric~~"
Insert: "optometric"

4. Page 2, line 16.
Following: "~~optometric~~"
Insert: "optometric"

5. Page 3, line 7.
Following: "~~and~~"
Insert: "and"

6. Page 3, lines 9 through 11.
Following: "part 18" in line 9
Strike: remainder of line 9 through "lenses" in line 11

7. Page 3, line 20.
Following: "required"
Strike: "mechanical"

8. Page 3.
Following: line 22
Insert: "(4) an independent dispensing optician performing the tasks of advising selection, fabricating, dispensing, and adjusting spectacle eyewear;"
Renumber: subsequent subsections

9. Page 5, line 13.
Following: "(i)"
Strike: "fabricate,"
Following: "replace"
Strike: "."
Following: "~~opthalmic~~"
Insert: "opthalmic"

10. Page 5, line 14.
Strike: "spectacle" in line 14
Following: "~~with or~~" in line 14
Insert: "with or"

11. Page 5, line 18.
Following: "~~mechanic~~"
Insert: "without having at the time a valid certificate of registration as an optometrist; however, this subsection does not prevent an optician"
Following: "from:"
Strike: remainder of line 18 through "surgeon;" on line 19
Insert: ":"

12. Page 6.
Following: line 2
Insert: "(i) doing the required work on an opthalmic lens which is ordered on a prescription signed by a registered optometrist and is dispensed only by the optometrist or a person employed by the optometrist and who does so in the office of and under the direct personal supervision of an optometrist; or

(ii) replacing or duplicating an existing lens for glasses;"

13. Page 6, line 20.
Following: "for"
Insert: ","
Following: "fit;"
Insert: ","

14. Page 10, line 19.
Following: "~~examination or~~"
Insert: "examination or"

15. Page 12, line 11.
Following: "~~or examination~~"
Insert: "or examination"

And, as amended, do not pass. Adverse committee report adopted as follows.

Ayes: Anderson, Blaylock, Boylan, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Neuman, Pinsoneault, Regan, Severson, Story, Thayer, Van Valkenburg, Williams, Yellowtail.
Total 31

Noes: Bengtson, Brown, Crippen, Gage, Harding, Kolstad, Mazurek, McCallum, Mohar, Shaw, Smith, Stephens, Tveit.
Total 13

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: Aklestad, Keating, Towe.
Total 3

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Free conference committee report adopted: 2/4/85
Free conference committee report on House amendments to SJR 3.

MOTIONS

Senator Van Valkenburg moved that consideration on SB 121, on second reading this legislative day, be passed. Motion carried unanimously.

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 322, introduced by Towe. Referred to Committee on Judiciary.
SB 323, introduced by Hager, (By Request of the Board of Professional Engineers and Land Surveyors). Referred to Committee on Natural Resources.
SB 324, introduced by Stimatz, Pavlovich, J.K. Moore, Lynch, Jacobson, C. Smith, Pinsoneault, Van Valkenburg, Daniels,

Christiaens, Bengtson, Devlin, Zabrocki, Haffey, Quilici, McCallum, McCormick, Keyser, J. Hammond, Keenan, O'Connell, Peck, Manning, D. Brown, Nisbet, Harp, Krueger, Towe, Lane, B. Williams, Driscoll, Koehnke, Hand, Ellison, Gould, Lory, Harrington, Menahan, Montayne, Phillips, Nathe, Bachini, Pistoria, Tveit, Kolstad. Referred to Committee on State Administration.

SB 325, introduced by Van Valkenburg, Keyser, Fuller, Harding, Halligan, Blaylock, McCallum, Quilici, Hirsch, Mohar, Crippen. Referred to Committee on Local Government.

SB 326, introduced by Himsl, Severson, B. Brown. Referred to Committee on Natural Resources.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 112 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 47

Noes: None.
Total 0

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: None.
Total 0

SB 154 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Neuman, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 42

Noes: Hirsch, Mohar, Pinsoneault.
Total 3

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: Hammond, Lynch.
Total 2

SB 166 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.

Total 46

Noes: None.
Total 0

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: McCallum.
Total 1

SB 189 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 47

Noes: None.
Total 0

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: None.
Total 0

SB 192 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 46

Noes: None.
Total 0

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: McCallum.
Total 1

SB 216 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 40

Noes: Daniels, Eck, Jacobson, Lybeck, Lynch, Mohar, Regan.
Total 7

Excused: Stimatz, Mr. President.

Total 2

Absent or not voting: None.
Total 0

SB 224 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 42

Noes: Boylan, Keating, Shaw, Smith.
Total 4

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: Mazurek.
Total 1

SB 235 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 47

Noes: None.
Total 0

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: None.
Total 0

HB 6 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 45

Noes: None.
Total 0

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: Eck, McCallum.
Total 2

HB 88 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 46

Noes: Farrell.
Total 1

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: None.
Total 0

HB 137 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 46

Noes: None.
Total 0

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: Story.
Total 1

At the request of the President Pro Tempore, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Conover in the Chair.

Mr. President Pro Tempore: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 160 - That SB 160 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 47

Noes: None.
Total 0

Excused: Stimatz, Mr. President.

Total 2

Absent or not voting: None.
Total 0

SB 175 - That SB 175 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 47

Noes: None.
Total 0

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: None.
Total 0

Senator Mazurek in the Chair.

SB 236 - That SB 236 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 47

Noes: None.
Total 0

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: None.
Total 0

Senator Conover in the Chair.

SJR 10 - That SJR 10 do pass. Motion carried as follows:

Ayes: Aklestad, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Goodover, Haffey, Hager, Halligan, Hammond, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 38

Noes: Anderson, Blaylock, Gage, Harding, Himsl, Regan.
Total 6

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: Galt, Kolstad, Smith.

Total 3

SJR 12 - That SJR 12 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Williams, Yellowtail.
Total 44

Noes: Blaylock, Regan, Van Valkenburg.
Total 3

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: None.
Total 0

SJR 3 - That the free conference committee report on SJR 3 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 46

Noes: Towe.
Total 1

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President Pro Tempore in the Chair. Chairman Conover moved the adoption of the committee report. Report adopted.

At the request of Senator Van Valkenburg, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the temporary rules be temporarily suspended in order to place SJR 10 on third reading this legislative day. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 40

Noes: Blaylock, Gage, Harding, Regan, Smith.

Total 5

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: Boylan, Kolstad.
Total 2

Senator Fuller moved that the following name be added to the list of sponsors of SB 281: Thomas. Motion carried unanimously.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

SJR 10 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 41

Noes: Blaylock, Gage, Harding, Himsl, Regan.
Total 5

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: Kolstad.
Total 1

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., February 6, 1985.

Motion carried.

Senate adjourned at 4:46 p.m.

CHET BLAYLOCK
President Pro Tempore of the Senate

BONNIE WALLEM
Secretary of the Senate

TWENTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
February 6, 1985

Senate Chambers
State Capitol

Senate convened at 3:00 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the twenty-sixth legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 2/6/85
Correctly printed and placed on the members' desks: SB 168, SB 178, SB 196, SB 198, SJR 13.
Considered correctly engrossed: SB 160, SB 175, SB 236, SJR 10, SJR 12.
Signed by the President at 9:45 a.m., 2/6/85: HB 107.

Report adopted.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Boylan, Chairman): 2/6/85
HB 148, be concurred in. Report adopted.

Senator Mazurek excused at this time.

BUSINESS AND INDUSTRY (Halligan, Chairman): 2/5/85
SB 190, introduced bill, be amended as follows:

1. Title, line 5.
Strike: "SELL, AT RETAIL"
Insert: "PROVIDE, WITHOUT CHARGE,"

2. Title, line 7.
Following: "16-3-213"
Strike: ","
Insert: "AND"
Following: "16-3-214,"
Strike: "AND 16-4-401,"

3. Title, line 8.
Following: "MCA"
Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

4. Page 1, line 17.
Following: "beer"
Strike: "<u>except as provided in 16-3-214</u>"

5. Page 1, line 20.
Following: "retail"
Insert: ", or from providing, without charge, their products for consumption on their licensed premises"

6. Page 2, line 11.
Following: "<u>(b)</u>"

Strike: "sell"
Insert: "provide, without charge,"
Following: "products"
Strike: "at retail"
Insert: "for consumption"

7. Page 2, line 12.
Following: "premises"
Strike: "for consumption on the premises"

8. Page 2, line 16.
Following: "brewery"
Strike: "selling"
Insert: "providing, without charge,"
Following: "products"
Strike: "at retail"

9. Page 2, line 18 through line 25, page 6.
Strike: section 3 in its entirety
Renumber: subsequent sections

10. Page 7.
Following: line 4
Insert: "NEW SECTION. Section 4. Effective date. This act is effective on passage and approval."

And, as amended, do pass. Report adopted.

FISH AND GAME (Conover, Chairman):
SB 197, do pass. Report adopted. 1/31/85

Committee adopted the following statement of intent:

Statement of Intent
SB 197

A statement of intent is indicated for this bill because there is a reference in section 1 to rules adopted by the department of fish, wildlife, and parks to be used as guidelines for certifying a resident as disabled and thus as eligible for a waiver of the fee for a golden years pass.

It is the intent of the legislature that the department merely apply its existing disability certification guidelines for hunting and fishing purposes to applicants for a waiver of the fee for a golden years pass.

SB 209, do pass. Report adopted. 2/5/85

Committee adopted the following statement of intent:

Statement of Intent
SB 209

A statement of intent is required for this bill because it grants rulemaking authority to the department of fish, wildlife, and parks for the purpose of administering the fish and game crimestoppers program.

It is contemplated that the department establish rules for instituting an award program, including criteria to be used in determining who will receive the rewards and the amount of the rewards in order to guarantee that the rewards be granted through a reasonable and consistent procedure.

It is also contemplated that the department draft rules for guaranteeing the confidentiality of persons providing crime-related information. The rules must comply with the constitutional right to know and the right of privacy; confidentiality will be maintained only when the demand of individual privacy clearly exceeds the merits of public disclosure.

To facilitate the transmitting of crime-related information from the public to the department, the department would establish a toll-free telephone number throughout the state. This toll-free number should be publicized statewide on the radio and in the press.

SB 255, introduced bill, be amended as follows:

1. Page 1, line 21.
Following: "shotguns"
Strike: "and muzzleloaders (rifled or smoothbore)"

2. Page 1, line 22.
Following: "deer."
Insert: "In areas where deer hunting is open to the use of shotguns, the commission may authorize the use of muzzleloaders (rifled or smoothbore)."

And, as amended, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Daniels, Member): 2/5/85
SB 237, do pass. Report adopted.
SB 253, do pass. Report adopted.

JUDICIARY (Mazurek, Chairman): 2/6/85
SB 110, introduced bill, be amended as follows:

1. Title, line 6.
Following: "TO"
Strike: "LABOR"
Insert: "CERTAIN"

2. Page 1, line 25.
Following: "agreement"
Insert: "— exceptions"
Following: "."
Insert: "(1)"

3. Page 2, line 1.
Following: "arbitration"
Strike: remainder of line 1 through "made" on line 3

4. Page 2, line 3.
Following: "valid"
Strike: ","
Insert: "and"

5. Page 2, line 4.
Following: "enforceable"
Strike: ", and irrevocable"

6. Page 2.
Following: line 5
Insert: "(2) Except as provided in subsection (3), a written agreement to submit to arbitration any controversy arising between the parties after the contract is made is valid and enforceable except upon such grounds as exist at law or in equity for the revocation of a contract. This subsection does not apply to:

(a) claims arising out of personal injury, based on contract, or tort;

(b) any agreement concerning or relating to insurance policies or annuity contracts except for those contracts between insurance companies;

(c) any agreement which has not been concluded upon the advice of counsel to all parties as evidenced by counsel's signature thereto;

(d) claims for workers' compensation; and

(e) arbitration agreements between employers and employees or their respective representatives unless the agreement provides that [this act] applies.

(3) The prohibitions and requirements of subsection (2) do not apply to or affect the validity of arbitration agreements under a membership contract as defined in 33-30-101(3) concerning only questions of medical necessity or whether the injury or illness is a preexisting condition.

(4) Notice that a contract is subject to arbitration pursuant to [this act] shall be typed in underlined capital letters on the first page of the contract; and unless such notice is displayed thereon, the contract may not be subject to arbitration."

7. Page 11, line 15.
Following: "directs."
Insert: "No agreement concerning venue involving a resident of this state is valid unless the agreement requires that arbitration occur within the state of Montana. This requirement may only be waived upon the advice of counsel as evidenced by counsel's signature thereto."

And, as amended, do pass. Report adopted.

SB 185, second reading copy, be amended as follows:

1. Page 1, line 24.
Following: "EXCEED"
Insert: "the lesser of $1,500 or"

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Fuller, Chairman): 2/5/85
SB 140, introduced bill, be amended as follows:

1. Title, line 6.
Following: "VOTE"
Insert: "FROM $150,000"
Following: "$500,000"
Strike: "FROM $150,000"
Insert: "IN CLASS 1 AND CLASS 2 COUNTIES AND TO $350,000 IN ALL OTHER COUNTIES"

2. Page 1.
Following: line 19
Insert: "in class 1 and class 2 counties and $350,000 in all other counties"

And, as amended, do pass. Report adopted.

SB 177, do pass. Report adopted.
HB 77, be concurred in. Report adopted.

Adverse Committee Reports

JUDICIARY (Mazurek, Chairman): 2/6/85
SJR 7, do not pass. Adverse committee report adopted as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Eck, Fuller, Haffey, Hager, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Stimatz, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 31

Noes: Aklestad, Crippen, Daniels, Gage, Galt, Goodover, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Shaw, Smith, Stephens, Story, Thayer.
Total 17

Paired: Mazurek, Aye; Shaw, No.

Excused: None.
Total 0

Absent or not voting: Farrell.
Total 1

SB 240, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 44

Noes: Brown, Halligan, Lybeck.
Total 3

Excused: None.
Total 0

Absent or not voting: Manning, Mazurek.
Total 2

SPECIAL ORDERS OF THE DAY

A delegation from the People's Republic of China was introduced to the Senate.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 5.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 2/6/85

HB 2, introduced by Sands

HB 26, introduced by Switzer

HB 159, introduced by Rapp-Svrcek

HB 185, introduced by Pistoria

HB 200, introduced by Waldron

HB 215, introduced by Miles

HB 221, introduced by Garcia

HB 228, introduced by Winslow

HB 248, introduced by Schye

HB 266, introduced by Harbin

HB 268, introduced by Harbin

HB 270, introduced by Marks

HB 282, introduced by Menahan

HB 283, introduced by O'Connell

HB 289, introduced by Marks

HB 291, introduced by O'Connell

HB 292, introduced by O'Connell

HB 297, introduced by Compton

HB 298, introduced by Eudaily

HB 302, introduced by J. Brown

HB 315, introduced by Rehberg

HB 321, introduced by Peck

HB 334, introduced by Gould

HB 389, introduced by Eudaily

HB 390, introduced by Cody

HB 439, introduced by J. Brown

HB 441, introduced by J. Brown

HB 445, introduced by J. Brown

HB 454, introduced by Jenkins

HB 459, introduced by Switzer

HB 476, introduced by Spaeth

HB 57, introduced by Gilbert

HB 89, introduced by Gilbert

HB 166, introduced by Sands

HB 209, introduced by Eudaily

HB 251, introduced by Ramirez

HB 272, introduced by Wallin

HB 317, introduced by Williams

HB 349, introduced by Donaldson

HB 438, introduced by J. Brown

HJR 10, introduced by Bachini

MOTIONS

Senator Severson moved that SB 33 be taken from the Committee on Taxation and placed on second reading. Motion carried as follows:

Ayes: Aklestad, Anderson, Boylan, Brown, Conover, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating,

Kolstad, Lane, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 25

Noes: Bengtson, Blaylock, Christiaens, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 24

Paired: Severson, Aye; Mazurek, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Fuller moved that the following name be added to the list of sponsors of SB 321: O'Hara. Motion carried unanimously.

Senator Mazurek present at this time.

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 327, introduced by B. Brown, Yellowtail, Pinsoneault, McCallum, Cobb, Keyser, Harrington, Peck, Koehnke, Eudaily, Grady, Nelson. Referred to Committee on Highways and Transportation.

SB 328, introduced by B. Brown, Daniels. Referred to Committee on Public Health, Welfare and Safety.

SB 329, introduced by Regan, Waldron, McCallum, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Public Health, Welfare and Safety.

SB 330, introduced by Goodover, Harp, Thayer, H. Hammond, Pinsoneault, Keating, J.K. Moore, Peterson, Wallin, Marks, Rehberg, Nathe, Bergene, Asay, Simon, Hanson, Koehnke, Ellison, Tveit, McCallum, Daniels, Peck, O'Connell, Story, Devlin, Mohar, Boylan, E. Smith, Harding, Swift, Severson, Gage, Himsl, Halligan, Hager, Ramirez, Abrams, Miller, Phillips, Campbell, O'Hara, Patterson, Thoft, Jones, B. Williams, Hayne, Stephens. Referred to Committee on Taxation.

SB 331, introduced by Christiaens, Regan, Eck, Towe, Mohar, Jacobson, B. Brown, Gage, Hager, Connelly, Harbin, Nisbet, (By Request of the Montana Human Rights Commission). Referred to Committee on Judiciary.

SB 332, introduced by Towe, Crippen, Addy, (By Request of the Senate Judiciary Committee). Referred to Committee on Judiciary.

The following House bills were introduced, read first time, and referred to committees:

HB 57, introduced by Gilbert. Referred to Committee on Highways and Transportation.

HB 89, introduced by Gilbert. Referred to Committee on Highways and Transportation.

HB 166, introduced by Sands. Referred to Committee on Local Government.

HB 209, introduced by Eudaily, Thomas, Donaldson, Lory, Peck, Ream, J. Hammond. Referred to Committee on Education and Cultural Resources.

HB 251, introduced by Ramirez, Campbell. Referred to Committee on Labor and Employment Relations.

HB 272, introduced by Wallin, (By Request of the Department of Labor and Industry). Referred to Committee on Labor and Employment Relations.

HB 317, introduced by M. Williams. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 349, introduced by Donaldson, Schultz, Ernst, Hanson, B. Williams, Koehnke, Holliday, Abrams, Manuel, (By Request of the Department of Agriculture). Referred to Committee on Agriculture, Livestock and Irrigation.

HB 438, introduced by J. Brown, Bergene, Christiaens, (By Request of the Department of Revenue). Referred to Committee on Judiciary.

HJR 10, introduced by Bachini, Harper, Fuller, Christiaens, O'Hara, Cody, J. Moore, Kolstad, Thoft, Vincent, Sands, Ellison, Lybeck, Kadas, Asay, Connelly, Campbell, J. Hammond, Zabrocki, Nisbet, Miles, Van Valkenburg, Peck, Schultz, Bergene, McCormick, Darko, Miller, J. Brown, Hand, Blaylock, Waldron, Harrington, Keenan, Nathe, Manning, Spaeth, Kennerly, Howe, O'Connell, Marks, Driscoll, Addy, Hansen, Ream, Bardanouve, Rapp-Svrcek, Hanson, Wallin, Swift, Bradley, Koehnke, Pistoria, Williams, Menahan, Pavlovich, Fritz, Ramirez, Garcia, Harbin, Raney, Manuel, Schye, Poff, Switzer, Mazurek, Towe, Compton, Jenkins, Ernst, Phillips, Patterson, Lory, Keller, Eudaily. Referred to Committee on Natural Resources.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 133 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: Shaw.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 134 failed to pass as follows:

Ayes: Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lybeck, Manning, Mohar, Neuman, Regan, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 23

Noes: Aklestad, Anderson, Daniels, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, Lane, Lynch, Mazurek, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit.

Total 26

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 138 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: Stimatz.
Total 1

Excused: None.
Total 0

Absent or not voting: Regan.
Total 1

SB 159 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 163 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 199 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 44

Noes: Aklestad, Galt, Goodover, Hager, Shaw.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 3, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: Towe.
Total 1

Excused: None.
Total 0

Absent or not voting: Daniels.
Total 1

At the request of Senator Mazurek, and without objection, Senator Mazurek's vote on SB 133 be recorded as yes and on SB 134 be recorded as no.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Hammond in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 76 - That SB 76 do pass. Motion carried as follows:

Ayes: Aklestad, Blaylock, Brown, Conover, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman,

Regan, Shaw, Stephens, Thayer, Towe, Van Valkenburg, Williams, Mr. President.
Total 32

Noes: Anderson, Bengtson, Boylan, Christiaens, Crippen, Gage, Harding, Keating, McCallum, Pinsoneault, Severson, Smith, Stimatz, Story, Tveit, Yellowtail.
Total 16

Excused: None.
Total 0

Absent or not voting: Kolstad.
Total 1

SB 121 - That SB 121 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 151 - That SB 151 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 162 - That SB 162 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.

Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 164 - That SB 164 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: Fuller.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 246 - That SB 246 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 99 - That HB 99 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 142 - That HB 142 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Hammond moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 5.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 2/6/85

HB 214, introduced by Miller

HB 336, introduced by Quilici

HB 346, introduced by Gilbert

HB 395, introduced by D. Brown

HB 466, introduced by J. Brown

HB 492, introduced by Peterson

HJR 15, introduced by Schye

HJR 17, introduced by Schultz

ANNOUNCEMENTS

President Norman announced that Cecil Weeding was selected to be seated in the Senate to represent District 14.

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., February 7, 1985.

Motion carried.

Senate adjourned at 4:51 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

TWENTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
February 7, 1985

Senate Chambers
State Capitol

Senate convened at 3:00 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Stimatz, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the twenty-seventh legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 2/7/85

Correctly printed and placed on the members' desks: SB 48, SB 110, SB 140, SB 177, SB 185, SB 190, SB 197, SB 209, SB 237, SB 253, SB 255.

Considered correctly engrossed: SB 76, SB 121, SB 151, SB 162, SB 164, SB 246.

Signed by the President at 9:45 a.m., 2/7/85: HB 10, HB 28, HB 31, HB 32, HB 42, HB 80, HB 124.

Report adopted.

COMMITTEES (Jacobson, Chairman): 2/7/85

Hereby remove, at his request, from the Natural Resources Committee: Larry Stimatz.

Hereby appoint to the Natural Resources Committee: Cecil Weeding, Chris Christiaens.

Hereby appoint to the Highways and Transportation Committee: Cecil Weeding.

Hereby appoint to the Highways and Transportation Committee, Vice Chairman: Kermit Daniels.

BUSINESS AND INDUSTRY (Halligan, Chairman): 2/6/85

SB 206, introduced bill, be amended as follows:

1. Title, line 7.
Following: "MOTOR VEHICLES"
Insert: "AND SNOWMOBILES"

2. Title.
Following: line 9
Insert: "23-2-612,"

3. Page 1.
Following: line 12
Insert: "Section 1. Section 23-2-612, MCA, is amended to read:

"23-2-612. Transfer of interest. (1) Except as provided in subsection (3), upon a transfer of any certificate of ownership to a snowmobile registered as required under the provisions of this part, the person whose title or interest is to be transferred shall write his signature with pen and ink upon the certificate of ownership issued for the snowmobile in the appropriate space provided upon the reverse

side of the certificate, and such signature shall be acknowledged before a notary public.

(2) Within 20 calendar days thereafter, the transferee shall make application for transfer of the certificate of ownership so endorsed with the county treasurer of the county in which the transferee resides and also make application for registration of the snowmobile. The county treasurer shall forward the application to the division of motor vehicles, which shall file the same upon receipt thereof. No certificate of ownership may be issued by the division until the outstanding certificates are surrendered to that office or their loss established to its reasonable satisfaction. The county treasurer shall collect a fee of $3 for each application for transfer of ownership, of which $2 shall be forwarded to the division of motor vehicles for deposit in the motor vehicle recording account of the state special revenue fund.

(3) A purchaser of a new or used snowmobile from a licensed snowmobile dealer has a grace period of 20 calendar days from the date of purchase to register the snowmobile, make application for a certificate of ownership, and obtain a decal indicating that the fee in lieu of property tax has been paid on the snowmobile for the current year. It is not a violation of this part or any other law for the purchaser to operate a newly acquired snowmobile without a certificate of ownership, certificate of registration, and a decal during the 20-day period. During this period the sticker, provided for in subsection (4), shall remain affixed to the snowmobile.

(4) Prior to the delivery of the snowmobile to the purchaser, the dealer shall issue and affix to the snowmobile a sticker (in a form to be prescribed by the division of motor vehicles). The sticker shall contain the name and address of the purchaser, the date of sale, the name and address of the dealer, and a description of the snowmobile, including its serial number. The dealer shall keep a copy of the sticker for his records and shall send a copy of the sticker to the division.

(5) The provisions of subsection (2) of this section do not apply in the event of the transfer of a snowmobile to a duly licensed snowmobile dealer intending to resell the snowmobile and who operates it only for demonstration purposes, but every such dealer, upon transferring such interest, shall deliver the certificate of ownership with an application for a new certificate executed by the new owner in accordance with the provisions of this part. The division, upon receipt of the certificate of ownership and application for a new certificate, ~~together with the conditional sales contract or other lien,~~ containing notice of a security interest, if any, shall issue a new certificate of ownership together with a statement of any conditional sales contract, mortgage, or other lien.""

Renumber: subsequent sections

4. Page 1, lines 17 through 19.
Following: "unless" on line 17
Strike: remainder of line 17 through "public" on line 19
Insert: "a lien form, approved by the division, that shows a security interest has been created,"

5. Page 2, line 18.
Following: "chapter"
Strike: "4"

Insert: "9"

And, as amended, do pass. Report adopted.

SB 233, introduced bill, be amended as follows:

1. Page 1, line 21.
Following: "within"
Strike: "30"
Insert: "60"
Following: "days"
Insert: "of receipt"

2. Page 1, line 22.
Following: "after"
Insert: "the first"

And, as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Blaylock, Chairman): 2/6/85

SB 256, introduced bill, be amended as follows:

1. Title, line 7.
Following: "COUNT ON"
Insert: "THE FIRST SCHOOL DAY OF EACH MONTH BEGINNING IN"
Following: "OCTOBER"
Strike: "1 AND ON"
Insert: "THROUGH"
Following: "MARCH"
Strike: "1"

2. Page 7, line 9.
Following: "pupils on"
Insert: "the first school day of each month beginning in"
Following: "October"
Strike: "1 and on"
Insert: "through"
Following: "March"
Strike: "1"

3. Page 7, line 11.
Strike: "two"
Insert: "six"

4. Page 7, line 12.
Strike: "2"
Insert: "6"

And, as amended, do pass. Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 2/6/85

SR 2, introduced bill, be amended as follows:

1. Page 1, line 25.
Following: "chamber"
Strike: "."
Insert: "; and

WHEREAS, section 2-17-109(4), MCA, requires that the present Senate chamber be preserved as a single, undivided room to be used for legislative purposes."

And, as amended, be adopted. Report adopted.

NATURAL RESOURCES (Eck, Chairman): 2/6/85

HJR 5, third reading copy, be amended as follows:

1. Page 3, line 11.
Following: "improvement."
Insert: "The bank stabilization program along the Missouri, Yellowstone, and Bighorn Rivers will be limited to nonstructural erosion control means."

And, as amended, be concurred in. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman): 2/6/85

SB 173, introduced bill, be amended as follows:

1. Page 2, line 22.
Following: "authorization"
Insert: "issued by the department"

And, as amended, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
SB 173

This bill is a response to Volume 40 Opinions of the Attorney General No. 50. A statement of intent is required for this bill because it delegates rulemaking authority to the board of radiologic technologists.

It is the intent of the legislature that the board be required by section 3 of this bill to adopt rules establishing the standards of formal classroom training in darkroom procedures for those individuals who, by reason of their training and the fact that they perform only darkroom procedures, are exempt from licensure.

It is the intent of the legislature that the board be required by section 4 of this bill to adopt rules:

(1) setting standards of formal classroom training for permit holders;

(2) defining specific x-ray procedures the permit holders will be allowed to perform;

(3) regarding the renewal of permits;

(4) establishing a written and oral portion of the examination and defining the circumstances under which those portions will be required;

(5) outlining additional eligibility requirements when an applicant fails an examination; and

(6) defining adequate evidence of regional hardship, emergency conditions, and capability to perform high-quality x-ray procedures.

It is the intent of the legislature that section 6 of this bill require that the department of commerce establish renewal dates for licenses.

Further, it is the intent of the legislature that section 7 of this bill delegate authority to the board to adopt rules defining unethical conduct for the purpose of establishing disciplinary standards for limited permit technicians.

SB 214, do pass. Report adopted.

SB 226, introduced bill, be amended as follows:

1. Page 1, line 3.
Strike: "BY REQUEST OF THE BOARD OF HEARING AID DISPENSERS"

2. Page 5, line 18.

Following: "(2)"
Insert: "(a)"

3. Page 5, lines 20 and 21.
Following: "person" in line 20
Strike: "18"
Insert: "under 19"
Following: "age" in line 20
Strike: remainder of line 20 through "funds" in line 21

4. Page 5, line 25 through page 6, line 3.
Following: "receipt." on line 25
Strike: remainder of line 25 through "sales." on page 6, line 3
Insert: "(b) Any person practicing the selling, dispensing, or fitting of hearing aids shall, when the aid is to be purchased with state funds, ascertain if the person has been examined by a licensed physician within 90 days prior to the fitting and shall obtain his recommendations. If such not be the case, a recommendation to do so must be made to the purchaser and this fact be noted on the receipt."

5. Page 9, line 13.
Following: "responsible for"
Strike: "the professional conduct and"

6. Page 9, lines 14 and 15.
Following: "the trainee." in line 14
Strike: remainder of line 14 through "conduct." in line 15

7. Page 11, line 9.
Following: "~~chapter.~~"
Insert: "No such applicants for a license under this section are required to submit to or undergo a qualifying examination or the like, other than the payment of fees, if the person complies with all other requirements of this chapter."

And, as amended, do pass. Report adopted.
HB 116, be concurred in. Report adopted.

TAXATION (Towe, Chairman): 2/6/85
SB 48, introduced bill, be amended as follows:

1. Title, line 6.
Following: "TO"
Insert: "IMPLEMENT PROVISIONS OF THE MONTANA CONSTITUTION AND TO"

2. Title, line 14.
Following: "15-6-101,"
Insert: "15-6-133,"

3. Page 6, line 1.
Following: "chapter"
Insert: "to implement provisions of the Montana constitution and"

4. Page 6, lines 19 and 20.
Following: "land" on line 19
Strike: ", including, for farm homes, 1 acre of agricultural land at market value,"

5. Page 8, line 13.
Following: "at"
Strike: "8.55%"

Insert: "the taxable percentage rate "P""

6. Page 8, line 15.
Following: "at"
Strike: "8.55%"
Insert: "the taxable percentage rate "P""

7. Page 9, lines 6 and 7.
Following: "percentage" on line 6
Strike: "established in subsection (2)(a), or 4.275%."
Insert: "rate "P".

(3) For taxable years beginning January 1, 1986, and thereafter, the taxable percentage rate "P" applicable to class four property is 8.55%/B, where B is the certified statewide percentage increase to be determined by the department of revenue as provided in subsection (4). The taxable percentage rate "P" shall be rounded downward to the nearest 0.01% and shall be calculated by the department of revenue before July 1, 1986.

(4) (a) Prior to July 1, 1986, the department shall determine the certified statewide percentage increase for class four property using the formula B = X/Y, where:

(i) X is the appraised value, as of January 1, 1986, of all property in the state, excluding new construction, additions, or deletions of property during the preceding year, classified under class four as class four is described in this section; and

(ii) Y is the appraised value, as of January 1, 1985, of all property in the state that, as of January 1, 1986, would be classified under class four as class four is described in this section.

(b) B shall be rounded downward to the nearest 0.0001%.

(5) After July 1, 1986, no adjustment may be made by the department to the taxable percentage rate "P" until a revaluation has been made as provided in 15-7-111."

8. Page 14, line 6.
Following: "~~11%~~"
Strike: "8.55%"
Insert: "the taxable percentage rate "P""

9. Page 14, line 7.
Following: "value."
Insert: "(3) For the taxable year beginning January 1, 1986, the taxable percentage rate "P" applicable to class eight property is 8.55%/B, where B is the certified statewide percentage increase to be determined by the department of revenue as provided in subsection (4). The taxable percentage rate "P" shall be rounded downward to the nearest 0.01% and shall be calculated by the department before July 1, 1986.

(4) (a) Prior to July 1, 1986, the department shall determine the certified statewide percentage increase for class eight property using the formula B = X/Y, where:

(i) X is the appraised value, as of January 1, 1986, of all property in the state, excluding new construction, additions, or deletions of property during the preceding year, classified under class eight as class eight is described in this section; and

(ii) Y is the appraised value, as of January 1, 1985, of all property in the state that, as of January 1, 1986, would be classified under class eight as class eight is described in this section.

(b) B shall be rounded downward to the nearest 0.0001%.

(5) For taxable years beginning January 1, 1987, and for every taxable year thereafter, the department shall, before July 1 of each year, determine the taxable percentage rate "P" applicable to class eight property. The determination shall be made as provided in subsection (6).

(6) P = A/B, where:

(a) P is the taxable percentage rate applicable to class eight property for the calendar year beginning January 1 in the year in which P is calculated. The taxable percentage rate "P" shall be rounded downward to the nearest 0.01%.

(b) A is the taxable percentage rate P applicable to class eight property as established by the department for the immediately preceding year; and

(c) B is the certified statewide percentage increase to be determined by the department using the formula B = X/Y, where:

(i) X is the appraised value, as of January 1 of the year for which P is being calculated, of all property in the state, excluding new construction, additions, or deletions of property during the preceding year, classified under class eight as class eight is described in this section; and

(ii) Y is the appraised value, as of January 1 of the year preceding the year for which P is being calculated, of all property in the state that, as of January 1 of the year for which P is being calculated, would be classified under class eight as class eight is described in this section.

(d) B shall be rounded downward to the nearest 0.0001%."

10. Page 17, line 25.
Following: "percentage"
Insert: "rate "P""

11. Page 20, line 3.
Following: "by"
Strike: "cooperative"

12. Page 20, line 4.
Following: "and"
Strike: "cooperative"

13. Page 21, line 25.
Following: "at"
Strike: "30%"
Insert: "the percentage rate "P""

14. Page 22, line 2.
Following: "property."
Insert: "(5) For taxable years beginning January 1, 1986, and thereafter, the taxable percentage rate "P" applicable to class twelve property is 30%/B, where B is the certified statewide percentage increase

to be determined by the department of revenue as provided in subsection (6). The taxable percentage rate "P" shall be rounded downward to the nearest 0.01% and shall be calculated by the department before July 1, 1986.

(6) (a) Prior to July 1, 1986, the department shall determine the certified statewide percentage increase for class twelve property using the formula B = X/Y, where:

(i) X is the appraised value, as of January 1, 1986, of all property in the state, excluding use changes occurring during the preceding year, classified under class twelve as class twelve is described in this section; and

(ii) Y is the appraised value, as of January 1, 1985, of all property in the state that, as of January 1, 1986, would be classified under class twelve as class twelve is described in this section.

(b) B shall be rounded downward to the nearest 0.0001%.

(7) After July 1, 1986, no adjustment may be made by the department to the taxable percentage rate "P" until a revaluation has been made as provided in 15-7-111."

15. Page 21, line 15.
Following: "ownership"
Strike: "and from which is harvested 30,000 or more board feet in any year during the appraisal cycle"
Insert: "including:

(a) timberland from which is harvested 30,000 or more board feet in any year during the appraisal cycle; or

(b) timberland which is enrolled in the private forestry assistance program administered by the department of state lands forestry division. A timber management plan prepared and approved by the department of state lands, forestry division must be filed with the department of revenue.

(3) For purposes of this section, timber cleared to establish an agricultural use shall not be included in the 30,000 board foot limit if the timber harvested is not used for commercial purposes."
Renumber: subsequent subsections

16. Page 26, lines 15 through 22.
Following: "is" on line 15
Strike: the remainder of line 15 through line 22
Insert: "to be determined in the same manner that market value was determined before [the effective date of this act] except to the extent that a sales-assessment ratio study indicates that a different value would more closely approximate market value."

17. Page 31, line 6.
Following: "value."
Insert: "If the department determines that a sales-assessment ratio study is applicable, helpful in determining true market value, and reasonably available, it may use such study as an audit tool."

18. Page 31.
Following: line 8
Insert: "Section 19. Section 15-6-133, MCA, is amended to read:

"15-6-133. Class three property — description — taxable percentage. (1) Class three property includes agricultural land as defined in 15-7-202.

(2) Class three property is taxed at ~~30%~~ the percentage rate "P" of its productive capacity.

(3) For taxable years beginning January 1, 1986, and thereafter, the taxable percentage rate "P" applicable to class three property is 30%/B, where B is the certified statewide percentage increase to be determined by the department of revenue as provided in subsection (4). The taxable percentage rate "P" shall be rounded downward to the nearest 0.01% and shall be calculated by the department of revenue before July 1, 1986.

(4) (a) Prior to July 1, 1986, the department shall determine the certified statewide percentage increase for class three property using the formula B = X/Y, where:

(i) X is the appraised value, as of January 1, 1986, of all property in the state, excluding agricultural use changes occurring during the preceding year, classified under class three as class three is described in this section; and

(ii) Y is the appraised value, as of January 1, 1985, of all property in the state that, as of January 1, 1986, would be classified under class three as class three is described in this section.

(b) B shall be rounded downward to the nearest 0.0001%.

(5) After July 1, 1986, no adjustment may be made by the department to the taxable percentage rate "P" applicable to class three property until a revaluation has been made as provided in 15-7-111.""

Renumber: subsequent sections

19. Page 31, line 24.
Following: "except section"
Strike: "19"
Insert: "20"

20. Page 32, line 1.
Following: "Section"
Strike: "19"
Insert: "20"

And, as amended, do pass. Report adopted.

SB 261, introduced bill, be amended as follows:

1. Title, line 7.
Following: "MCA"
Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE"

2. Page 3.
Following: line 15
Insert: "NEW SECTION. Section 3. Effective date — applicability. This act is effective on passage and approval and applies to taxable years beginning after December 31, 1984."

And, as amended, do pass. Report adopted.

SPECIAL ORDERS OF THE DAY

Senator Van Valkenburg moved that the Senate seat Cecil Weeding of Jordan, Montana, a qualified resident of Garfield County; who on February 6, 1985 was nominated by the combined county commissioners of Garfield County, Treasure County, Dawson County, Rosebud County, and McCone County to fill the vacancy in Senate District 14 of retired Senator Dave Manning. Motion carried unanimously.

The Chief Justice of the Supreme Court, the Honorable Jean Turnage, was admitted to the Senate Chamber and administered the following constitutional oath of office to Cecil Weeding who subscribed to same:

"I do solemnly swear that I will support, protect and defend the Constitution of the United States and the Constitution of the State of Montana, and that I will discharge the duties of my office as Senator with fidelity. SO HELP ME GOD."

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the rules be temporarily suspended in order to introduce LC 1244. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Stimatz.
Total 1

Absent or not voting: Haffey.
Total 1

Senator Mohar moved that the Senate reconsider its action in failing to adopt SB 134 and that SB 134 be placed on second reading on the 29th legislative day. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Goodover, Haffey, Halligan, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Stephens, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 37

Noes: Aklestad, Gage, Galt, Hager, Hammond, Harding, Himsl, Regan, Severson, Shaw, Smith, Tveit.
Total 12

Excused: Stimatz.
Total 1

Absent or not voting: None.
Total 0

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 333, introduced by Christiaens, Miller, Mazurek, Goodover, Thayer, Gage, Hager, Phillips, Towe, Harbin, Nisbet, Harding. Referred to Committee on Business and Industry.

SB 334, introduced by Crippen, Sands, Harper, Ream, Bergene, Blaylock, D. Brown, Van Valkenburg, Miller, Spaeth, Vincent, Kadas, Kitselman, Fritz, Tveit, Cobb, E. Smith, Mazurek, Stephens, Nisbet, Miles, Cohen, Lory, Eck, Regan, M. WIlliams, Harp, Marks, J. Brown, Keenan, Peck, Mohar, Bardanouve, Harrington. Referred to Committee on Fish and Game.

SB 335, introduced by Manning. Referred to Committee on Business and Industry.

SB 336, introduced by Fuller, J. Brown. Referred to Committee on Local Government.

SB 337, introduced by Blaylock, (By Request of the Department of Labor and Industry). Referred to Committee on Labor and Employment Relations.

SB 338, introduced by Gage, McCallum, Quilici, Goodover, Pinsoneault, Thayer, Tveit, Harding Severson, Swift, Hirsch. Referred to Committee on Taxation.

SB 339, introduced by Lynch. Referred to Committee on Local Government.

SB 340, introduced by B. Brown, Christiaens, Harper, Kolstad, Regan, Manuel, Phillips, Lory, Eudaily, Bachini, Peck, Van Valkenburg, Manning, Bergene, Cohen. Referred to Committee on Business and Industry.

SB 341, introduced by Haffey, Daniels, Quilici, Lynch. Referred to Committee on Labor and Employment Relations.

SB 342, introduced by Halligan. Referred to Committee on Public Health, Welfare and Safety.

SB 343, introduced by Halligan, (By Request of the Department of Revenue). Referred to Committee on Business and Industry.

SB 344, introduced by Neuman, Schye, Miller, Cobb. Referred to Committee on Highways and Transportation.

SB 345, introduced by Neuman, Cobb, Schye, Miller. Referred to Committee on Agriculture, Livestock and Irrigation.

SB 346, introduced by Hager, Fuller. Referred to Committee on Taxation.

The following House bills were introduced, read first time, and referred to committees:

HB 2, introduced by Sands, (By Request of the Coal Tax Oversight Subcommittee). Referred to Committee on Taxation.

HB 26, introduced by Switzer, (By Request of the Revenue Oversight Committee). Referred to Committee on Taxation.

HB 159, introduced by Rapp-Svrcek, E. Smith, Ream, Cobb, Mohar, Lane, Yellowtail, J. Moore, Conover, (By Request of the Department of Fish, Wildlife, and Parks). Referred to Committee on Fish and Game.

HB 185, introduced by Pistoria. Referred to Committee on Highways and Transportation.

HB 200, introduced by Waldron, (By Request of the Department of Institutions). Referred to Committee on Judiciary.

HB 214, introduced by Miller, (By Request of the Board of Speech Pathologists and Audiologists). Referred to Committee on Public Health, Welfare and Safety.

HB 215, introduced by Miles, Marks, Halligan, Grady, Mazurek. Referred to Committee on Business and Industry.

HB 221, introduced by Garcia, Ramirez, J. Hammond. Referred to Committee on Business and Industry.

HB 228, introduced by Winslow, Christiaens, Manning, Fritz, Regan, O'Hara, H. Hammond, J.K. Moore, Bergene, J. Brown, Neuman, Brandewie, Miles, Schultz, D. Brown, Cobb, Keenan, Harp, Schye, Quilici, Menahan, Hager, B. Brown, Hart. Referred to Committee on Public Health, Welfare and Safety.

HB 248, introduced by Schye, Miller. Referred to Committee on Local Government.

HB 266, introduced by Harbin, (By Request of the Department of Administration). Referred to Committee on Business and Industry.

HB 268, introduced by Harbin, (By Request of the Department of Administration). Referred to Committee on Business and Industry.

HB 270, introduced by Marks, Harper, Haffey, Fuller, Menahan, Donaldson, Keenan. Referred to Committee on Public Health, Welfare and Safety.

HB 282, introduced by Menahan, Quilici, Rapp-Svrcek, Brandewie, Keenan, Pavlovich, Harrington, D. Brown, Harp. Referred to Committee on Fish and Game.

HB 283, introduced by O'Connell, J.K. Moore, Keyser, Pistoria, Connelly, C. Smith, Blaylock, Lybeck, Zabrocki, Montayne, Pavlovich, Lynch, Harding, E. Smith, Hirsch, Boylan, Jacobson, H. Hammond, Hand, J. Brown, B. Williams, Kadas, Howe, Vincent, Keenan, Miles, Abrams, Donaldson, Harrington, Bergene, Brandewie, Miller, Manning, Christiaens, Van Valkenburg, Lory, Peck, J. Hammond, Garcia, Ream, Hart, Menahan, McCormick, Jones, Bachini, O'Hara, Harp, Harbin, Koehnke, Bradley, Spaeth, Fritz, Manuel, Nisbet, Driscoll, Addy, Quilici, Krueger, D. Brown, Schye, Swift. Referred to Committee on State Administration.

SB 289, introduced by Marks, Lane, Keenan, Donaldson, Harrington, Grady. Referred to Committee on Public Health, Welfare and Safety.

HB 291, introduced by O'Connell, J.K. Moore, Keyser, Pistoria, Connelly, Blaylock, Lybeck, Zabrocki, Montayne, Pavlovich, Lynch, Harding, E. Smith, Williams, Hirsch, Boylan, Jacobson, Hand, J. Brown, Kadas, Howe, Kennerly, Vincent, Keenan, C. Smith, Miles, Abrams, Donaldson, Harrington, Miller, Brandewie, Manning, Christiaens, Van Valkenburg, Bergene, Lory, Peck, J. Hammond, Garcia, Ream, Harp, Harbin, Hart, Menahan, Jones, McCormick, Bachini, O'Hara, Koehnke, Bradley, Spaeth, Fritz, Manuel, Driscoll, Nisbet, Holliday, Addy, Quilici, Krueger, D. Brown, Schye, Swift. Referred to Committee on State Administration.

HB 292, introduced by O'Connell, J.K. Moore, Keyser, Connelly, C. Smith, Blaylock, Lybeck, Zabrocki, Montayne, Pavlovich, Lynch, Harding, E. Smith, Hirsch, Boylan, Jacobson, H. Hammond, Stimatz, Hand, J. Brown, Kadas, Howe, Kennerly, Vincent, Keenan, Miles, Abrams, Donaldson, Pistoria, Harrington, Bergene, Brandewie, Miller, Manning, Christiaens, Lory, Van Valkenburg, Hart, Menahan, Jones, McCormick, Bachini, O'Hara, Koehnke, Bradley, Spaeth, Manuel, Nisbet, Driscoll, Addy, Quilici, Krueger, D. Brown, Schye, Swift, Fritz, Peck, J. Hammond, Garcia, Ream, Harp, Harbin, B. Williams. Referred to Committee on State Administration.

HB 297, introduced by Compton, (By Request of the Department of Agriculture). Referred to Committee on Agriculture, Livestock and Irrigation.

HB 298, introduced by Eudaily, Lory, Schultz, Peck. Referred to Committee on Education and Cultural Resources.

HB 302, introduced by J. Brown, (By Request of the Department of Military Affairs). Referred to Committee on State Administration.

HB 315, introduced by Rehberg, Addy, Sands, Holliday, Sales, J. Brown, Pistoria, O'Connell, M. Williams, Devlin. Referred to Committee on Taxation.

HB 321, introduced by Peck, Harbin, Raney, (By Request of the Department of Commerce). Referred to Committee on Business and Industry.

HB 334, introduced by Gould, Driscoll, Pavlovich, Gage, Mazurek. Referred to Committee on Business and Industry.

HB 336, introduced by Quilici, Lory, Harrington. Referred to Committee on Natural Resources.

HB 346, introduced by Gilbert, Schye, (By Request of the Department of Commerce). Referred to Committee on Taxation.

HB 389, introduced by Eudaily, (By Request of the Public Employees' Retirement Board). Referred to Committee on State Administration.

HB 390, introduced by Cody. Referred to Committee on Judiciary.

HB 395, introduced by D. Brown, Pavlovich. Referred to Committee on Business and Industry.

HB 439, introduced by J. Brown, Bergene, (By Request of the Department of Revenue). Referred to Committee on Judiciary.

HB 441, introduced by J. Brown, Bergene, Christiaens, (By Request of the Department of Revenue). Referred to Committee on Judiciary.

HB 445, introduced by J. Brown, Christiaens, (By Request of the Department of Revenue). Referred to Committee on Judiciary.

HB 454, introduced by Jenkins, Grady. Referred to Committee on Education and Cultural Resources.

HB 459, introduced by Switzer, (By Request of the Department of Livestock). Referred to Committee on Agriculture, Livestock and Irrigation.

HB 466, introduced by J. Brown. Referred to Committee on Public Health, Welfare and Safety.

HB 476, introduced by Spaeth. Referred to Committee on Judiciary.

HB 492, introduced by Peterson, (By Request of the Department of Justice, Motor Vehicles Division). Referred to Committee on Highways and Transportation.

HJR 15, introduced by Schye, Conover, Bardanouve, Spaeth, Schultz, Iverson, Ernst, Cobb, Boylan, Nathe, Rapp-Svrcek, Yellowtail, Bradley. Referred to Committee on Agriculture, Livestock and Irrigation.

HJR 17, introduced by Schultz, Holliday, Spaeth, Howe, Kolstad, Jenkins, Ellerd, Brandewie, Glaser, Campbell, Boylan, Halligan, B. Williams, Shaw, Keating, Anderson, Bergene, Sales, Bachini, Ellison, Devlin, E. Smith, Severson, McCallum, Aklestad, Tveit, Goodover, H. Hammond, Nathe, Manning, Hanson, Lane, Schye, Mohar, Rapp-Svrcek, Switzer, Poff, Cody, Koehnke, Compton, Keller, Patterson, Fritz, Galt, Farrell, Story, Yellowtail, Conover, Manuel, Ernst, Grady, (By Request of the House Agriculture, Livestock and Irrigation Committee). Referred to Committee on Agriculture, Livestock and Irrigation.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 160 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch,

Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Stimatz.
Total 1

Absent or not voting: None.
Total 0

SB 175 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Stimatz.
Total 1

Absent or not voting: None.
Total 0

SB 236 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Stimatz.
Total 1

Absent or not voting: Galt.
Total 1

SJR 12 passed as follows:

Ayes: Anderson, Bengtson, Boylan, Brown, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Williams, Yellowtail, Mr. President.
Total 40

Noes: Aklestad, Blaylock, Christiaens, Hager, Halligan, Jacobson, Regan, Van Valkenburg.
Total 8

Excused: Stimatz.
Total 1

Absent or not voting: Weeding.
Total 1

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate recess subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 3:27 p.m.

Senate reconvened at 4:13 p.m.

Senator Stimatz present at this time.

Senator Shaw moved that the Senate reconsider its action in adopting the adverse committee report on SJR 7 and that it be printed and placed on second reading. Motion failed as follows:

Ayes: Aklestad, Anderson, Crippen, Daniels, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 22

Noes: Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 28

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Regan in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 168 - That SB 168 do pass. Motion carried as follows:

Ayes: Aklestad, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Stephens, Stimatz, Story, Towe, Van Valkenburg, Williams, Yellowtail.
Total 35

Noes: Anderson, Farrell, Galt, Goodover, Hammond, Himsl, Severson, Shaw, Smith, Thayer, Tveit.

Total 11

Excused: None.
Total 0

Absent or not voting: Keating, Mohar, Weeding, Mr. President.
Total 4

SB 178 - That SB 178 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 196 - That SB 196 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 198 - That SB 198 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 13 - That SJR 13 do pass. Motion carried as follows:

Ayes: Bengtson, Blaylock, Christiaens, Conover, Crippen, Eck, Farrell, Galt, Haffey, Hager, Halligan, Harding, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 35

Noes: Aklestad, Anderson, Gage, Goodover, Hammond, Himsl, Hirsch, Keating, Severson, Shaw.
Total 10

Excused: None.
Total 0

Absent or not voting: Boylan, Brown, Daniels, Fuller, Story.
Total 5

HB 77 - That HB 77 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Daniels, Mazurek, Towe.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 148 - That HB 148 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the

Chair. Chairman Regan moved the adoption of the committee report. Report adopted.

At the request of Senator Goodover, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Goodover moved that the Senate adopt a simple resolution in accordance with Joint Rule 6-1(1). Senator Goodover read the simple resolution entitled: "A resolution of the Senate of the State of Montana instructing architects to proceed with capitol renovation plans previously approved".

Senator Van Valkenburg rose to a point of order.

The President ruled that the simple resolution would be introduced and referred to a committee.

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., February 8, 1985.

Motion carried.

Senate adjourned at 5:29 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

TWENTY-NINTH LEGISLATIVE DAY

Helena, Montana
February 8, 1985

Senate Chambers
State Capitol

Senate convened at 3:00 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the twenty-eighth legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 2/8/85
Correctly printed and placed on the members' desks: SB 173, SB 206, SB 214, SB 226, SB 233, SB 256, SB 261, SR 2.
Considered correctly engrossed: SB 168, SB 178, SB 196, SB 198, SJR 13.
Correctly enrolled: SJR 3.
Examined by the sponsor (Van Valkenburg) and found to be correct: SJR 3.
Signed by the President at 2:00 p.m., 2/8/85: HB 6, HB 88, HB 137, SJR 3.

Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 2/8/85
SB 232, do pass. Report adopted.
SB 239, do pass. Report adopted.
SB 303, introduced bill, be amended as follows:

1. Page 1, line 15.
Following: "Any"
Strike: "public utility"
Insert: "person"

2. Page 1.
Following: line 24
Insert: "(2) In determining the amount of the penalty, the following shall be considered: the nature, circumstances, and gravity of the violation and, with respect to the person found to have committed the violation, the degree of culpability; any history of prior violations; the effect on ability to continue to do business; any good faith in attempting to achieve compliance; ability to pay the penalty; and such other matters as justice may require."
Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
SB 303

A statement of intent is required for this bill because it grants the public service commission the authority to promulgate rules to administer 69-3-207. The public service commission is annually certified by the U.S. department of transportation to enforce the Natural Gas Pipeline Safety

Act in Montana. The commission must adopt the department of transportation rules concerning the act and has done so through incorporation by reference.

The legislature intends to provide clear statutory authority for the public service commission to assess fines against any person for violations of the Natural Gas Pipeline Safety Act.

HB 195, be concurred in. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Blaylock, Chairman):

2/8/85

HB 11, third reading copy, be amended as follows:

1. Title, line 8.
Following: "SALARY;"
Insert: "REQUIRING CAUSE FOR SUCH AN ASSIGNMENT; PROVIDING FOR POSSIBLE REASSIGNMENT TO AN ADMINISTRATIVE POSITION IF THE ORIGINAL ASSIGNMENT WAS DUE TO FINANCIAL CONDITIONS;"

2. Page 1, line 23.
Following: "teacher"
Insert: ", whether in a teaching or administrative position,"

3. Page 1, line 24.
Following: "(2)"
Insert: "(a)"

4. Page 2, lines 1 and 2.
Following: "certified"
Strike: ", with a reduction in salary."
Insert: ". The trustees of a district may so assign a person for the person's immorality, unfitness, incompetence, or violation of the adopted policies of the trustees, or if the financial condition of the school district requires a reduction in the number of administrative positions and the reason for the assignment is to reduce the number of administrators employed by the district. A person may appeal the decision to reassign:

(i) if the person has held the administrative position for less than four consecutive years, to the county superintendent following the procedures set forth in 20-4-207(2) for the appeal of a teacher dismissed while under contract; or

(ii) if the person has held the administrative position for four or more consecutive years, to the trustees following the procedures set forth in 20-4-204(2) through (4) for the appeal of termination of tenure teacher services.

(b)"

5. Page 2, line 3.
Following: "same"
Strike: "or more than the"

6. Page 2.
Following: line 6
Insert: "(c) If such assignments had occurred for financial reasons, openings for administrative positions in the district shall be filled from applicants who are former administrators who were assigned to teaching positions for financial reasons."

And, as amended, be concurred in. Report adopted.

FINANCE AND CLAIMS (Regan, Chairman): 2/7/85
HB 3, third reading copy, be amended as follows:

1. Title, line 6.
Following: "THE"
Strike: "MINIMUM"

2. Title, line 7.
Following: "PROTECTION"
Strike: "UP TO $30"

3. Page 1.
Following: line 21
Strike: lines 22 through "76-13-207." on page 2, line 1
Insert: "be assessed against the land. The department shall assess the charge per acre per year necessary to yield the amount of money provided for in 76-13-207(1). The minimum assessment payable for such protection and assessment for each owner, per year in each protection district as shown in the most recent property tax assessment rolls of the county, is 75 times the per-acre charge."

4. Page 2.
Following: line 22
Strike: lines 23 through line 3 on page 3 in its entirety
Renumber: subsections

And, as amended, be concurred in. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stimatz, Chairman): 2/7/85
HB 23, be concurred in. Report adopted.
HB 94, be concurred in. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Lynch, Chairman): 2/7/85
SB 194, introduced bill, be amended as follows:

1. Page 2, line 17.
Following: "logging,"
Insert: "geophysical work,"

2. Page 7.
Following: line 22
Strike: "the respective program area"
Insert: "administering [this act]"

3. Page 8, line 1.
Following: "[section 9]"
Insert: ", except that, unless the division is making an investigation under [section 11(2)], the division does not have the power under [this act] to make inspections into construction blasting and may not adopt rules providing for such inspections or for inspectors to carry out such inspections"

4. Page 9.
Following: line 15
Strike: "NEW SECTION."

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Fuller, Chairman): 2/7/85
SB 88, introduced bill, be amended as follows:

1. Title, line 4.
Following: "ENTITLED: "AN ACT"

Strike: "PERMITTING"
Insert: "REQUIRING"

2. Title, line 5.
Following: "FUND"
Insert: ", TO PAY THE STATE'S PRIOR CONTRIBUTIONS TO THE GENERAL FUND,"

3. Title, line 6.
Following: "TRANSFER"
Insert: "ANY"
Following: "MONEY"
Strike: "CONTAINED"
Insert: "REMAINING"

4. Page 1, line 18.
Following: "(2)"
Strike: "If"
Insert: "When"
Following: "city"
Insert: "or town"

5. Page 1, line 20.
Following: "and"
Strike: "if"
Insert: "when"

6. Page 1, lines 22 and 23.
Following: "city"
Strike: "may"
Insert: "or town shall"
Following: "and"
Strike: remainder of line 22 through "it" in line 23
Insert: "pay to the state auditor, for deposit in the general fund, an amount proportional to the prior contributions made by the state under 19-10-305, as determined by the state auditor. Any remaining money in the fund must be transferred"

And, as amended, do pass. Report adopted.

SB 180, do pass. Report adopted.
SB 181, introduced bill, be amended as follows:

1. Title, line 13.
Strike: "AND"
Following: "7-3-187"
Insert: "AND 7-3-190,"

2. Page 6, line 25.
Following: "file"
Strike: "one copy"
Insert: "two copies"

3. Page 7, line 1.
Following: "commerce"
Insert: ", one of which the department shall forward to the state library"

4. Page 7.
Following: line 13
Insert: "Section 6. Section 7-3-190, MCA, is amended to read:

"7-3-190. Supplementary reports. A study commission may prepare separate reports in addition to its final report. These reports may recommend consolidation of services and functions and indicate potential areas for interlocal agreements. Such reports shall be submitted to all appropriate governing bodies for reaction within 1 year.""

Renumber: subsequent section

And, as amended, do pass. Report adopted.

RULES (Van Valkenburg, Chairman): 2/8/85
HB 9, be concurred in. Report adopted.
HJR 3, be concurred in. Report adopted.

TAXATION (Towe, Chairman): 2/8/85
HB 34, be concurred in. Report adopted.

Adverse Committee Reports

BUSINESS AND INDUSTRY (Halligan, Chairman): 2/8/85
SB 212, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Christiaens, Conover, Crippen, Farrell, Fuller, Galt, Goodover, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, Mohar, Pinsoneault, Severson, Stephens, Thayer, Tveit, Weeding, Williams, Yellowtail.
Total 28

Noes: Bengtson, Blaylock, Boylan, Brown, Daniels, Eck, Haffey, Hager, Halligan, Jacobson, Lynch, Neuman, Regan, Shaw, Smith, Stimatz, Story, Towe, Van Valkenburg, Mr. President.
Total 20

Excused: None.
Total 0

Absent or not voting: Gage, McCallum.
Total 2

LOCAL GOVERNMENT (Fuller, Chairman): 2/7/85
SB 127, introduced bill, be amended as follows:

1. Page 1, line 19.
Following: "receiving"
Insert: "full payment of the"

And, as amended, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Hager, Hammond, Harding, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Williams, Yellowtail.
Total 38

Noes: Brown, Haffey, Halligan, Himsl, Keating, Lynch, Mohar, Regan, Stimatz, Van Valkenburg, Mr. President.
Total 11

Excused: None.
Total 0

Absent or not voting: Weeding.

Total 1

TAXATION (Towe, Chairman): 2/8/85

SB 32, do not pass. Adverse committee report adopted as follows:

Ayes: Anderson, Blaylock, Christiaens, Daniels, Eck, Farrell, Fuller, Goodover, Haffey, Hager, Halligan, Himsl, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 31

Noes: Aklestad, Bengtson, Boylan, Brown, Conover, Crippen, Gage, Galt, Hammond, Harding, Hirsch, Keating, Kolstad, McCallum, Shaw, Smith, Story, Thayer, Tveit.
Total 19

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SPECIAL ORDERS OF THE DAY

The Grand Street Theater Players entertained the members of the Senate.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 9.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 76 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Shaw, Stephens, Stimatz, Thayer, Towe, Van Valkenburg, Williams, Mr. President.
Total 38

Noes: Boylan, Crippen, Gage, Harding, Keating, McCallum, Smith, Story, Tveit, Yellowtail.
Total 10

Excused: None.
Total 0

Absent or not voting: Severson, Weeding.
Total 2

SB 121 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 151 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 162 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 164 passed as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Goodover, Haffey, Halligan, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Yellowtail, Mr. President.
Total 38

Noes: Aklestad, Anderson, Boylan, Fuller, Galt, Hager, Hammond, Hirsch, Shaw, Thayer, Williams.
Total 11

Excused: None.

Total 0

Absent or not voting: Weeding.
Total 1

SB 246 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 99 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Severson, Weeding.
Total 2

HB 142 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of Senator Yellowtail, and without objection, Senator Yellowtail's vote on SB 76 be recorded as no.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate recess subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 3:46 p.m.

Senate reconvened at 4:13 p.m.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 2/7/85

HB 293, introduced by Bardanouve

HB 306, introduced by Menahan

HB 337, introduced by Miles

HB 345, introduced by Spaeth

HB 361, introduced by McCormick

HB 367, introduced by Wallin

HB 371, introduced by Simon

HB 419, introduced by Brandewie

HB 426, introduced by Spaeth

HB 436, introduced by Lory

HB 478, introduced by Schye

HB 486, introduced by Thomas

HB 543, introduced by Miles

HJR 19, introduced by Waldron

MOTIONS

Senator Jacobson moved that HB 141 be taken from the Committee on Public Health, Welfare and Safety and that it be rereferred to the Committee on Finance and Claims. Motion carried unanimously.

Senator Haffey moved that the following names be added to the list of sponsors of SB 341: Menahan, Campbell. Motion carried unanimously.

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 347, introduced by Lane, Koehnke, Halligan, B. Williams, Conover, Lynch, Hirsch, Yellowtail, Boylan, Blaylock, Manning, Lybeck, Bengtson, Severson. Referred to Committee on Natural Resources.

SB 348, introduced by Keating, Pavlovich, Shaw, Switzer, Tveit, Hirsch, Thayer, Goodover. Referred to Committee on Natural Resources.

SB 349, introduced by Mazurek, (By Request of the Montana Economic Development Board). Referred to Committee on Business and Industry.

SB 350, introduced by Crippen, Keyser, (By Request of the Securities Division of the State Auditor's Office). Referred to Committee on Business and Industry.

SB 351, introduced by Keating. Referred to Committee on Judiciary.

SB 352, introduced by Lybeck, Mercer, Eck, Bradley, Koehnke, Van Valkenburg, Bengtson, H. Hammond, Yellowtail, B. Brown, (By Request of the Senate Judiciary Committee). Referred to Committee on Judiciary.

SB 353, introduced by Lybeck, Harp, Menahan, Quilici, Cohen, Krueger, Brandewie, Connelly, Driscoll, Pavlovich, C. Smith, D. Brown, Jones, B. Brown. Referred to Committee on Business and Industry.

SB 354, introduced by Mazurek, Fuller, Marks, Hannah, J. Brown. Referred to Committee on Local Government.

SB 355, introduced by Mazurek, (By Request of the Board of Realty Regulation). Referred to Committee on Business and Industry.

SB 356, introduced by Stephens, J. Brown. Referred to Committee on Labor and Employment Relations.

SB 357, introduced by B. Williams, Lane, Yellowtail. Referred to Committee on Business and Industry.

SB 358, introduced by Jacobson, Regan, Lynch, Himsl, Waldron, Harp, Fuller, Keating, Bergene. Referred to Committee on Education and Cultural Resources.

SB 359, introduced by Yellowtail, (By Request of the Department of State Lands). Referred to Committee on Natural Resources.

SB 360, introduced by Tveit, Kolstad, Schye, Schultz, Conover, Neuman, B. Williams. Referred to Committee on Agriculture, Livestock and Irrigation.

SB 361, introduced by Haffey, Quilici, Lynch, Himsl, Jacobson, Manning, Daniels, Stimatz, Boylan, Menahan, Harper, J. Brown, O'Connell, Fuller, Pavlovich, Van Valkenburg, Mohar, Lory, Eudaily, Donaldson. Referred to Committee on State Administration.

SB 362, introduced by Haffey, Quilici, Harding, J. Moore, Christiaens, Van Valkenburg, Ream, Darko, Eck, Regan, Yellowtail, Bergene, Fuller, Lane, Blaylock, Fritz, D. Brown, Raney, Vincent, Cohen, Koehnke, Bradley, Montayne, Manning. Referred to Committee on Labor and Employment Relations.

SB 363, introduced by E. Smith, Gage, Kolstad, Tveit, Aklestad, Crippen, Keating. Referred to Committee on Business and Industry.

SJR 19, introduced by Manning, Hirsch, Blaylock, Christiaens, Lynch, Fuller, Regan, Lybeck, Yellowtail, Halligan, B. Williams, Stimatz, Lane, Daniels, Eck, Haffey, Towe, Driscoll, B. Brown. Referred to Committee on Judiciary.

SR 3, introduced by Goodover, Thayer, Tveit, Farrell, Severson, H. Hammond, Kolstad, Anderson, E. Smith, Shaw, Keating, Stephens, Harding, Gage, Story, Galt, Boylan. Referred to Committee on Legislative Administration.

The following House bills were introduced, read first time, and referred to committees:

HB 293, introduced by Bardanouve. Referred to Committee on Judiciary.

HB 306, introduced by Menahan, (By Request of the Board of Athletics). Referred to Committee on Labor and Employment Relations.

HB 337, introduced by Miles, (By Request of the Public Employees' Retirement Board). Referred to Committee on State Administration.

HB 345, introduced by Spaeth, Schultz, Kitselman, (By Request of the Department of Commerce). Referred to Committee on Local Government.

HB 361, introduced by McCormick, (By Request of the Public Employees' Retirement Board). Referred to Committee on State Administration.

HB 367, introduced by Wallin. Referred to Committee on Natural Resources.

HB 371, introduced by Simon, Kitselman, Eudaily, Addy, Zabrocki, J. Brown, Quilici, Kadas, Schye, Bergene, Keating, Pistoria, Spaeth, Miles. Referred to Committee on Judiciary.

HB 419, introduced by Brandewie, Schye, Compton, C. Smith, Jones, Fuller, Asay, (By Request of the Department of Commerce). Referred to Committee on Judiciary.

HB 426, introduced by Spaeth, (By Request of the Public Service Commission). Referred to Committee on Judiciary.

HB 436, introduced by Lory. Referred to Committee on Local Government.

HB 478, introduced by Schye, (By Request of the Department of Revenue). Referred to Committee on Taxation.

HB 486, introduced by Thomas, Devlin, Switzer, Thoft, Patterson, Rehberg, Bergene, Hanson, Nathe, Mercer, Lory, Ernst, Campbell, Cobb, Grady, Swift, Ellison, Keyser, O'Hara, Donaldson, Iverson, Ream, J. Brown, Hand, Asay, Keller, Hayne, Ellerd, Phillips, Marks, Brandewie, Miller, Glaser, Simon, Sales, Nelson, Gilbert, Jenkins, Wallin, Spaeth, Rapp-Svrcek, Quilici, Harp, Eudaily, C. Smith, Jones, Peterson, Compton, Manuel, Holliday, Ramirez, Garcia. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 543, introduced by Miles, D. Brown, Bradley, Iverson, Quilici, Daniels, Bardanouve, Harp, Shaw, Keenan, Harper, Krueger, Regan, Story, Yellowtail, Conover. Referred to Committee on Natural Resources.

HJR 19, introduced by Waldron, Mazurek. Referred to Committee on Public Health, Welfare and Safety.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Goodover in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 33 - That SB 33 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Neuman.
Total 1

Excused: None.
Total 0

Absent or not voting: Fuller, Manning.
Total 2

SB 48 - That SB 48 do pass.

Senator Crippen made a substitute motion that SB 48 do not pass. Substitute motion failed as follows:

Ayes: Aklestad, Anderson, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 23

Noes: Bengtson, Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 27

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That SB 48, second reading copy, be amended as follows:

1. Title, line 16.
Following: "15-6-137"
Insert: ", 15-6-139"

2. Title, line 18.
Following: "MCA;"
Insert: "REPEALING SECTION 15-6-138, MCA;"

3. Page 5.
Following: line 15
Insert: "(n) the term "comparable property" includes those properties that have similar utility, use, and function, and that are of a similar type as a given subject property, subject to the following:

(i) the comparable properties must be influenced by the same set of economic trends and physical, economic, governmental, and social factors as the subject property;

(ii) the comparable properties must have the potential of a similar, if not identical, highest and best use as the subject property;

(iii) commercial property may be compared only to commercial property; and

(iv) residential property may be compared only to residential property."

4. Page 6, line 22.
Following: "all"
Strike: "noncommercial"

5. Page 6, line 25.
Following: "all"
Strike: "noncommercial"

6. Page 9, line 13 through line 12, page 10.
Strike: subsections (3) through (5) in their entirety

Insert: "(3) For the taxable year beginning January 1, 1986, the taxable percentage rate "P" applicable to class eight property is 8.55%/B, where B is the certified statewide percentage increase to be determined by the department of revenue as provided in subsection (4). The taxable percentage rate "P" shall be rounded downward to the nearest 0.01% and shall be calculated by the department before July 1, 1986.

(4) (a) Prior to July 1, 1986, the department shall determine the certified statewide percentage increase for class eight property using the formula B = X/Y, where:

(i) X is the appraised value, as of January 1, 1986, of all property in the state, excluding new construction, additions, or deletions of property during the preceding year, classified under class eight as class eight is described in this section; and

(ii) Y is the appraised value, as of January 1, 1985, of all property in the state that, as of January 1, 1986, would be classified under class eight as class eight is described in this section.

(b) B shall be rounded downward to the nearest 0.0001%.

(5) For taxable years beginning January 1, 1987, and for every taxable year thereafter, the department shall, before July 1 of each year, determine the taxable percentage rate "P" applicable to class eight property. The determination shall be made as provided in subsection (6).

(6) P = A/B, where:

(a) P is the taxable percentage rate applicable to class eight property for the calendar year beginning January 1 in the year in which P is calculated. The taxable percentage rate "P" shall be rounded downward to the nearest 0.01%.

(b) A is the taxable percentage rate P applicable to class eight property as established by the department for the immediately preceding year; and

(c) B is the certified statewide percentage increase to be determined by the department using the formula B = X/Y, where:

(i) X is the appraised value, as of January 1 of the year for which P is being calculated, of all property in the state classified, excluding new construction, additions, or deletions of property during the preceding year, under class eight as class eight is described in this section; and

(ii) Y is the appraised value, as of January 1 of the year preceding the year for which P is being calculated, of all property in the state that, as of January 1 of the year for which P is being calculated, would be classified under class eight as class eight is described in this section.

(d) B shall be rounded downward to the nearest 0.0001%."

7. Page 14, line 10 through line 13, page 17.
Strike: section 6 in its entirety
Renumber: subsequent sections

8. Page 21.
Following: line 3

Insert: "commercial"
Strike: "eight"
Insert: "four"

9. Page 21, line 5.
Following: "of"
Insert: "all"
Strike: "eight"
Insert: "four commercial"

10. Page 21, line 7.
Strike: "15-6-138"
Insert: "15-6-134"

11. Page 21.
Following: line 22
Insert: "commercial"
Strike: "eight"
Insert: "four"

12. Page 22.
Following: line 8
Insert: "commercial"
Strike: "eight"
Insert: "four"

13. Page 33.
Following: line 4
Insert: "(8) Taxpayers who elect to appeal or to judicially contest the value of their property, as defined in this part, must make valid comparisons using "similar and comparable properties", and may make legal arguments regarding the specific department of revenue appraisal methodology used to value the contested property. The tax appeal boards and the courts of the state may not accept as evidence any other methods of proof in contested ad valorem tax controversies."

14. Page 35, line 15.
Strike: "eight"
Insert: "four"

15. Page 37.
Following: line 16
Insert: "NEW SECTION. Section 20. Repealer. Section 15-6-138, MCA, is repealed."
Renumber: subsequent sections

Amendment failed as follows:

Ayes: Aklestad, Anderson, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 23

Noes: Bengtson, Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 27

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That SB 48, second reading copy, be further amended as follows:

1. Title, line 16.
Following: "THROUGH"
Strike: "15-6-142"
Insert: "15-6-141"

2. Title, line 18.
Following: "MCA;"
Insert: "and repealing section 15-6-142, MCA;"

3. Page 23, line 23 through line 20, page 26.
Strike: section 10 in its entirety
Renumber: subsequent sections

4. Page 28, lines 15 and 16.
Following: "grazing" on line 15
Strike: "and it is not classified as commercial timberland as defined in 15-6-142"

5. Page 28.
Following: line 17
Insert: "(iii) it is used for growing timber; or"
Renumber: subsequent subsection

6. Page 30, line 11.
Strike: "; or"
Insert: "."

7. Page 30, lines 12 and 13.
Strike: subsection (14) in its entirety

8. Page 32, lines 17 through 19.
Strike: subsection (d) in its entirety

9. Page 33, line 2.
Following: "two"
Strike: ", "
Following: "~~and~~"
Insert: "and"
Following: "three"
Strike: ", and twelve"

10. Page 33.
Following: line 3
Insert: "and"
Following: "15-6-133"
Strike: ", and 15-6-142"

11. Page 37.
Following: line 16
Insert: "NEW SECTION. Section 19. Repealer. Section 15-6-142, MCA, is repealed."
Renumber: subsequent sections

Amendment failed as follows:

Ayes: Aklestad, Anderson, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.

Total 23

Noes: Bengtson, Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 27

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That SB 48 do pass. Motion carried as follows:

Ayes: Bengtson, Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 27

Noes: Aklestad, Anderson, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 23

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Goodover moved the adoption of the committee report. Report adopted.

Senator Van Valkenburg moved that the Senate adjourn until 9:00 a.m., February 9, 1985.

Motion carried.

Senate adjourned at 6:11 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

THIRTIETH LEGISLATIVE DAY

Helena, Montana
February 9, 1985

Senate Chambers
State Capitol

Senate convened at 9:03 a.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 2/9/85

Correctly printed and placed on the members' desks: SB 88, SB 180, SB 181, SB 194, SB 232, SB 239, SB 303.

Considered correctly engrossed: SB 33, SB 48.

Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 2/9/85

Recommend that at the close of business February 9, 1985, the following employment be terminated:

Kimberly Hollandsworth ..... Page
Barbi Halverson ..... Page
Sara Hoyer ..... Page
Laura Shelton ..... Page
Kammie Morrison ..... Page
Katherine Beaton ..... Page
Nancy Kelley ..... Page
Judy Altenbrun ..... Page

Report adopted.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Boylan, Chairman): 2/8/85

SB 201, introduced bill, be amended as follows:

1. Page 6, line 4.
Following: "~~licensee or~~"
Strike: "registrant of fertilizer"
Insert: "manufacturer"

2. Page 6, line 9.
Following: "by"
Insert: "or on behalf of"

3. Page 7, line 13.
Following: "No"
Strike: "registrant"
Insert: "manufacturer"

4. Page 7, line 15.
Following: "80-10-103"
Insert: "and 80-10-207"

5. Page 9, line 13.
Following: "(1)"
Strike: "There"
Insert: "(a) A manufacturer registering under 80-10-201(1)"
Following: "shall"
Strike: "be paid"
Insert: "pay"

6. Page 9.
Following: line 18
Strike: "(a)"
Insert: "(i)"

7. Page 9, line 24.
Following: "All"
Strike: "registrants"
Insert: "manufacturers"

8. Page 10.
Following: line 25 on page 9
Strike: "(b)"
Insert: "(ii)"

9. Page 10.
Following: line 4
Insert: "(b) If fertilizer or soil amendment material is added to fertilizer for which a fee has been paid under subsection (1)(a), a fee must be paid under that subsection, but only on the added fertilizer or soil amendment."

10. Page 11, lines 2 through 4.
Following: "period." on line 2
Strike: remainder of lines 2 through 4

11. Page 11, line 5.
Following: "Every"
Strike: "registrant"
Insert: "manufacturer"

12. Page 11, line 6.
Following: "state,"
Insert: "or a person who registers on the manufacturer's behalf,"

13. Page 11, line 14.
Following: "The"
Strike: "registrant"
Insert: "manufacturer or person registering on behalf of the manufacturer"

14. Page 11, line 16.
Following: "report"
Insert: "required by subsection (3)(a)(ii)"

15. Page 11.
Following: line 19
Strike: "registrant"
Insert: "manufacturer"

16. Page 11, line 22.
Following: "the"
Strike: "registrant"
Insert: "manufacturer"

And, as amended, do pass. Report adopted.

HB 350, be concurred in. Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 2/8/85
SB 146, second reading copy, be amended as follows:

1. Title, line 7.

Following: "TRAINING"
Strike: "AND"

2. Title, line 9 and 10.
Following: "~~EDUCATION~~"
Strike: "TO ALLOW THE BOARD OF REALTY REGULATION TO PRESCRIBE BY RULE CONTINUING EDUCATION REQUIREMENTS"

3. Title, line 11.
Following: "~~SECTION~~"
Strike: "SECTIONS 37-51-204 AND"
Insert: "SECTION"

4. Page 1, lines 14 through 25.
Strike: section 1 in its entirety
Renumber: subsequent sections

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Eck, Chairman): 2/8/85

SB 223, introduced bill, be amended as follows:

1. Page 1, line 20.
Following: "court"
Insert: "and the county clerk and recorder"

2. Page 2, line 25.
Following: "a"
Insert: "reference"

3. Page 3, line 1.
Following: "judge"
Insert: "and to the county clerk and recorder in the county in which the transfer occurred"

4. Page 3, line 5.
Following: "department"
Insert: "and the county clerk and recorder"
Following: "processing"
Strike: "the copy of"

5. Page 3, line 19.
Following: "85-2-424"
Insert: "(1)"

And, as amended, do pass. Report adopted.

HB 81, be concurred in. Report adopted.

Adverse Committee Reports

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman): 2/8/85

SB 227, introduced bill, be amended as follows:

1. Title, lines 7 and 8.
Following: "RULES;" in line 7
Strike: remainder of line 7 through "PENALTIES;" in line 8
Following: "AMENDING" in line 8
Strike: "SECTIONS 50-50-103 and 50-50-108"
Insert: "SECTION 50-50-103"

2. Page 1, line 18.

Strike: "service"

3. Page 1, lines 19 and 20.
Following: "establishment" in line 19
Insert: ", as defined in 50-50-102,"
Following: "only" in line 19
Strike: remainder of line 19 through "by" in line 20
Insert: "in compliance with"

4. Page 1, lines 22 through 25.
Strike: subsection (3) in its entirety

5. Page 2, line 8.
Following: "notice"
Insert: "to the public"

6. Page 2, lines 9 through 21.
Strike: section 3 in its entirety
Renumber: subsequent sections

And, as amended, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Towe.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 2/8/85

HB 105, introduced by Marks

HB 232, introduced by Bardanouve

HB 259, introduced by Keenan

HB 279, introduced by Kitselman, et al.

HB 299, introduced by Eudaily

HB 332, introduced by Bradley, et al.

MOTIONS

Senator Aklestad moved that the Senate reconsider its action in adopting the adverse committee report on SB 32 and that it be printed and placed on second reading. Motion failed as follows:

Ayes: Aklestad, Anderson, Boylan, Brown, Conover, Crippen, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, Lane, McCallum, Mohar, Shaw, Smith, Stephens, Story, Thayer, Tveit, Weeding.

Total 25

Noes: Bengtson, Blaylock, Christiaens, Daniels, Eck, Farrell, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lybeck, Lynch, Manning, Mazurek, Neuman, Pinsoneault, Regan, Severson, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 25

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Eck moved that the Senate reconsider its action in adopting the adverse committee report on SB 212 and that it be printed and placed on second reading. Motion carried as follows:

Ayes: Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Haffey, Hager, Halligan, Jacobson, Lane, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Shaw, Stimatz, Story, Towe, Van Valkenburg, Yellowtail, Mr. President.
Total 28

Noes: Aklestad, Anderson, Farrell, Gage, Galt, Goodover, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lybeck, McCallum, Neuman, Severson, Smith, Stephens, Thayer, Tveit, Williams.
Total 21

Excused: None.
Total 0

Absent or not voting: Weeding.
Total 1

Supreme Court Justice Harrison introduced Eagle Scouts from around the state and commended them for their accomplishments.

Senator Towe moved that the rules be temporarily suspended in order to place retired Senator D. Manning's name on LC 1613. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that SR 2 be moved to the top of the board. Motion carried unanimously.

Senator Van Valkenburg moved that HB 116 and HJR 5 be moved to the bottom of the board. Motion carried unanimously.

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 364, introduced by Pinsoneault, B. Brown, Hirsch, Asay, Stimatz, Daniels, Galt, McCallum, Shaw, Mercer, Spaeth, D. Brown, O'Hara, Simon, Harding. Referred to Committee on Judiciary.

SB 365, introduced by Eck, Holliday, Galt, Iverson, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Natural Resources.

SB 366, introduced by Christiaens, Manning, Quilici, Haffey. Referred to Committee on State Administration.

SB 367, introduced by Halligan, Bengtson, Regan, Waldron. Referred to Committee on Taxation.

SB 368, introduced by Mohar, Lory, Blaylock, Eck, Regan, Norman, Conover, Bengtson, Halligan, B. Williams, Lane, Fuller, Haffey, Christiaens. Referred to Committee on State Administration.

SB 369, introduced by Neuman, Ellison, Eck, Rapp-Svrcek, Mohar, Mazurek, Halligan, B. Williams, Lane, Yellowtail, Blaylock, Manning, Schultz, Spaeth, Holliday. Referred to Committee on Natural Resources.

SB 370, introduced by Van Valkenburg, McCallum, (By Request of the Montana Salary Commission). Referred to Committee on Finance and Claims.

SB 371, introduced by Mohar, Spaeth, Cobb, Ellison, Kennerly, Raney, B. Brown, Rapp-Svrcek, Haffey, Story. Referred to Committee on Fish and Game.

SB 372, introduced by Gage. Referred to Committee on Local Government.

SB 373, introduced by Neuman, Thayer, Christiaens, (By Request of the Department of Justice, Division of Motor Vehicles). Referred to Committee on Highways and Transportation.

SB 374, introduced by Harding. Referred to Committee on State Administration.

The following House bills were introduced, read first time, and referred to committees:

HB 105, introduced by Marks. Referred to Committee on Taxation.

HB 232, introduced by Bardanouve. Referred to Committee on Natural Resources.

HB 279, introduced by Kitselman, Abrams, Hager, Thoft. Referred to Committee on Taxation.

HB 299, introduced by Eudaily. Referred to Committee on Local Government.

HB 332, introduced by Bradley, Waldron, Bachini. Referred to Committee on Highways and Transportation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Lybeck in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SR 2 - That SR 2 be adopted.

Senator Goodover made a substitute motion that SR 2 be indefinitely postponed. Motion failed as follows:

Ayes: Aklestad, Anderson, Boylan, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Hirsch, Keating, Kolstad, Lane, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 21

Noes: Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Haffey, Halligan, Himsl, Jacobson, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 29

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That SR 2 be adopted. Motion carried as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Haffey, Halligan, Himsl, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 30

Noes: Aklestad, Anderson, Boylan, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Hirsch, Keating, Kolstad, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 20

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 110 - That SB 110, second reading copy, be amended as follows:

1. Page 3, line 3.
Following: "necessity"
Insert: ", experimental treatment,"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That SB 110, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 134 - That SB 134, third reading copy, be amended as follows:

1. Page 2, line 6.
Following: "(7)"
Strike: the remainder of line 6 and lines 7 through 12 in their entirety
Insert: "negotiate deductive changes, not to exceed 3% of the total cost of a project, with the lowest responsible bidder when the lowest responsible bid causes the project cost to exceed the appropriation or with the lowest responsible bidders, if multiple contracts will be awarded on the project, when the total of the lowest responsible bids causes the project cost to exceed the appropriation. A bidder is not required to negotiate his bid but is required to honor his bid for the time specified in the bidding documents. The department may terminate negotiations at any time. Any contract award resulting from negotiation is subject to the approval of the board of examiners."

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That SB 134, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch,

Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 140 - That SB 140 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 177 - That SB 177 do pass. Motion carried as follows:

Ayes: Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Hager, Hammond, Harding, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Pinsoneault, Regan, Stephens, Stimatz, Thayer, Towe, Van Valkenburg, Williams, Yellowtail.
Total 33

Noes: Aklestad, Farrell, Galt, Himsl, Hirsch, Mohar, Severson, Smith.
Total 8

Excused: None.
Total 0

Absent or not voting: Anderson, Brown, Halligan, Neuman, Shaw, Story, Tveit, Weeding, Mr. President.
Total 9

SB 185 - That SB 185 do pass. Motion carried as follows:

Ayes: Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hirsch, Jacobson, Keating, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Shaw, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 31

Noes: Aklestad, Anderson, Christiaens, Farrell, Hammond, Harding, Himsl, Lynch, McCallum, Regan, Severson, Smith, Stephens, Thayer, Tveit.

Total 15

Excused: None.
Total 0

Absent or not voting: Kolstad, Lane, Story, Weeding.
Total 4

SB 190 - That SB 190 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 197 - That SB 197 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 209 - That SB 209 do pass. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Halligan, Hammond, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Regan, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 37

Noes: Aklestad, Gage, Hager, Harding, Himsl, Hirsch, Keating, Neuman, Pinsoneault, Severson, Shaw, Thayer.
Total 12

Excused: None.
Total 0

Absent or not voting: Brown.

Total 1

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Lybeck moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 168 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Goodover, Himsl, Pinsoneault, Shaw.
Total 4

Excused: None.
Total 0

Absent or not voting: Tveit.
Total 1

SB 178 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 196 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 198 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: Regan.
Total 1

Excused: None.
Total 0

Absent or not voting: Weeding.
Total 1

SJR 13 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Haffey, Hager, Halligan, Hammond, Harding, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 41

Noes: Aklestad, Gage, Goodover, Himsl, Hirsch, Keating, Severson, Shaw, Smith.
Total 9

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 77 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Mr. President.
Total 44

Noes: Daniels, Hirsch, Lybeck, Mazurek, Yellowtail.
Total 5

Excused: None.
Total 0

Absent or not voting: Weeding.
Total 1

HB 148 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the Senate adjourn until 2:30 p.m., February 11, 1985.

Motion carried.

Senate adjourned at 12:04 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

THIRTY-FIRST LEGISLATIVE DAY

Helena, Montana
February 11, 1985

Senate Chambers
State Capitol

Senate convened at 2:33 p.m., President Norman presiding. Invocation by the Chaplain, Pastor Monsen. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journals for the twenty-ninth and thirtieth legislative days, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 2/11/85
Correctly printed and placed on the members' desks: SB 146, SB 201, SB 212, SB 223.
Correctly engrossed: SB 110, SB 134.
Considered correctly engrossed: SB 140, SB 177, SB 185, SB 190, SB 197, SB 209.

Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 2/11/85
Recommend that at the beginning of business February 11, 1985, the following be employed:

Eric Pedersen ..... Page
Loy Blasing ..... Page
Kathy Hertz ..... Page
Polly Boylan ..... Page
Douglas Christiaens ..... Page
Lisa DeCock ..... Page
Dawn Warner ..... Page
Coleen Furthmyre ..... Page

Report adopted.

JUDICIARY (Mazurek, Chairman): 2/9/85
SB 152, introduced bill, be amended as follows:

1. Title, line 5.
Following: "CUSTODY"
Strike: remainder of line 5 through "THE" on line 6
Insert: "IF IN A"

2. Title, line 6.
Following: "CHILD'S"
Strike: "WELFARE IS ENDANGERED"
Insert: "BEST INTERESTS"
Following: "PROVIDING"
Insert: "STANDARDS"
Following: "FOR"
Strike: remainder of line 6 through "OF" on line 7
Insert: "ESTABLISHING"

3. Title, line 7.
Following: "RESIDENCY"
Strike: "TIME WHEN PRACTICAL"

4. Title, line 8.
Following: "MCA"
Strike: remainder of line 8 through "DATE"

5. Page 1, line 16.
Following: "unless"
Strike: remainder of line 16 through "parents" on line 19
Insert: "the court finds, under the factors set forth in 40-4-212 by clear and convincing evidence, that joint custody is not in the best interests of the minor child"

6. Page 1, line 22.
Following: "custody."
Insert: "Objection to joint custody by a parent seeking sole custody is not a sufficient basis for a finding that joint custody is not in the best interests of a child, nor is a finding that the parents are hostile to each other."

7. Page 2, line 3.
Following: "parents."
Strike: remainder of line 3 through "equal." on line 4
Insert: "The allotment of time between parties shall be as equal as possible; however, each case shall be determined according to its own practicalities with the best interests of the child as the primary consideration."

8. Page 2, lines 13 and 14.
Strike: section 2 in its entirety

And, as amended, do pass. Report adopted.

SB 186, introduced bill, be amended as follows:

1. Page 1, line 21.
Following: "(2)"
Strike: "punish a criminal offender by assuring"
Insert: "assure"

2. Page 4, line 2.
Following: "district courts"
Strike: remainder of line 2 through "cases" on line 3

3. Page 5, line 11.
Following: "capacity."
Strike: remainder of line 11 through "capacity." on line 15

And, as amended, do pass. Report adopted.

SB 268, introduced bill, be amended as follows:

1. Page 2, line 3.
Following: "(1)"
Strike: "(a)"

2. Page 2, line 5.
Following: "order"
Insert: "or an aftercare agreement"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 2/9/85

Communication of the Governor, dated January 16, 1985, wherein the name of:

Robert W. Holmstrom, to serve until he or his successor is duly elected and qualified in accordance with the laws of Montana;

was submitted as:

Judge of District Court, Thirteenth Judicial District of the State of Montana.

Respectfully report as follows:

That said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

SB 169, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
SB 169

A statement of intent is required for this bill because section 6 grants the secretary of state authority to adopt rules for the conduct of mail ballot elections. It is intended that the authority to adopt rules extends only to the areas specifically provided for in section 6. Rules are to be adopted under the Montana Administrative Procedure Act. The rules must be consistent with the provisions of the act.

It is intended that use of the mail ballot option will be entirely optional and within the discretion of the applicable jurisdiction and election administrator.

It is intended that nothing in this act be interpreted as requiring either the election administrator or the applicable jurisdiction to select or use the mail ballot option.

It is intended that use of the mail ballot option is authorized only for the specific elections enumerated in this act. It is further intended that the elections for which the mail ballot option may be used will be only those elections for which special circumstances make the use of the mail ballot option potentially the most desirable of the available options.

SB 176, do pass. Report adopted.
SB 193, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
SB 193

A statement of intent is required for this bill because section 2 requires the state fire marshal to adopt rules based on nationally recognized standards necessary for safeguarding life and property from the hazards associated with explosives.

It is the intent of the legislature that the fire marshal adopt rules based on article 77 of the Uniform Fire Code, international conference of building officials. However, any changes in the Uniform Fire Code must be included in the fire marshal's rules, by amendment, if the fire marshal considers the changes appropriate.

SB 195, do pass. Report adopted.
SB 205, do pass. Report adopted.
SB 215, do pass. Report adopted.
SB 221, introduced bill, be amended as follows:

1. Title, line 7.

Following: "BOARDS;"
Insert: "ALLOWING THE BOARD TO APPOINT AN EXECUTIVE SECRETARY;"

2. Title, lines 9 and 10.
Following: "RACE DAYS;" on line 9
Strike: remainder of line 9 through "COSTS" on line 10
Insert: "INCREASING THE BOARD'S PERCENTAGE OF GROSS RECEIPTS"

3. Title, line 11.
Following: "23-4-202,"
Insert: "23-4-302,"

4. Page 2, line 5.
Strike: "department"
Insert: "board"

5. Page 5, line 20.
Strike: "20%"
Insert: "20.5%"

6. Page 6.
Following: line 3
Insert: "Section 5. Section 23-4-302, MCA, is amended to read:

"23-4-302. Distribution of deposits — breakage. Each licensee conducting the parimutuel system shall distribute all sums deposited in any pool to the winner thereof, less an amount which, in the case of exotic wagering on races, shall not exceed ~~22%~~ 22.5%, and in all other races, shall not exceed ~~20%~~ 20.5% of the total deposits plus the odd cents of all redistribution to be based on each dollar deposited exceeding a sum equal to the next lowest multiple of 10, known as "breakage"."""
Renumber: subsequent sections

7. Page 6, line 7.
Strike: "1%"
Insert: "1.5%"

8. Page 6, line 19.
Strike: subsection (2) in its entirety
Renumber: subsequent subsections

9. Page 7, line 11.
Following: "~~(2)~~"
Strike: "(3)"
Insert: "(2)"

And, as amended, do pass. Report adopted.

SB 228, introduced bill, be amended as follows:

1. Title, lines 6 and 7.
Following: "THE" on line 6
Strike: remainder of line 6 through "ADMINISTRATION" on line 7
Insert: "STATE OR OTHER GOVERNMENTAL ENTITY"

2. Page 3, line 11.
Following: "(4) THE"
Strike: "department of administration"
Insert: "state or other governmental entity"

3. Page 4, line 15.

Following: "(2) The"
Strike: "department of administration"
Insert: "state or other governmental entity"

And, as amended, do pass. Report adopted.

SB 229, introduced bill, be amended as follows:

1. Title, lines 8 and 9.
Following: "PROJECTS" on line 8
Strike: remainder of line 8 through "BIDDERS" on line 9

2. Page 1, line 17.
Following: "supplies,"
Strike: "and"

3. Page 1, line 18.
Following: "~~kinds,~~"
Insert: "construction, repair, and public works of all kinds,"

4. Page 2, line 15.
Strike: "same"
Insert: "3%"

5. Page 2, line 15.
Following: "preference,"
Strike: remainder of line 15 through "any," on line 16
Insert: "or that percent"

6. Page 2, line 17.
Following: "residence"
Insert: ", whichever is greater"

And, as amended, do pass. Report adopted.

SB 225, do pass. Report adopted. 2/11/85

TAXATION (Towe, Chairman): 2/9/85
HB 27, be concurred in. Report adopted.
HB 30, be concurred in. Report adopted.

Adverse Committee Reports

LABOR AND EMPLOYMENT RELATIONS (Lynch, Chairman): 2/11/85
HB 285, introduced bill, be amended as follows:

1. Page 6, line 22.
Following: "commissions"
Strike: "or otherwise"

And, as amended, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Hager, Mazurek, Shaw, Van Valkenburg.
Total 4

Excused: None.

Total 0

Absent or not voting: None.
Total 0

STATE ADMINISTRATION (Haffey, Chairman): 2/9/85

SB 147, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 295, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Gage, Galt, Goodover, Hager, Halligan, Hammond, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Weeding, Williams.
Total 36

Noes: Blaylock, Eck, Fuller, Haffey, Harding, Jacobson, Lynch, Regan, Stimatz, Towe, Van Valkenburg, Yellowtail, Mr. President.
Total 13

Excused: None.
Total 0

Absent or not voting: Boylan.
Total 1

SJR 11, do not pass. Adverse committee report adopted as follows: 2/11/85

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 44

Noes: Conover, Eck, Haffey, Manning, Pinsoneault.
Total 5

Excused: None.
Total 0

Absent or not voting: Weeding.
Total 1

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

February 8, 1985

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Vincent:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill No. 107, "AN ACT REVISING THE LAWS GOVERNING THE PRACTICE OF ELECTROLOGY; REQUIRING ELECTROLOGY SCHOOLS AND TEACHERS TO BE LICENSED; GRANTING THE BOARD OF COSMETOLOGISTS AUTHORITY TO ADOPT RULES REGULATING SCHOOLS AND LICENSEES AND TO ADOPT SANITARY STANDARDS; AMENDING SECTIONS 37-32-201, 37-32-301, AND 37-32-304, MCA; AND PROVIDING EFFECTIVE DATES," without my signature and recommend the attached amendments for the following reasons.

Under current law, the Board of Cosmetologists has licensing authority over electrologists and electrology salons. House Bill 107 would extend that authority to include electrology schools and teachers. The bill would also clarify that the Board's authority includes regulation over the conduct of licensees and sanitary conditions in salons.

Section 1 of the bill amends the Board's rulemaking authority to list the subjects that the Board's rules may address. Section 6 extends the Department of Commerce's existing rulemaking authority to include the subjects covered in H.B. 107.

Section 8 provides that Section 1 is effective upon passage and approval. The purpose of Section 8 is to allow the Board to adopt rules implementing H.B. 107 before the licensing provisions of H.B. 107 become effective. In this manner, both the licensing provisions and the rules implementing those provisions may become effective on October 1, 1985.

Unfortunately, Section 8 does not provide an immediate effective date for itself. For this reason, Section 8 does not become effective until October 1 and consequently cannot make Section 1 effective immediately. I am proposing an amendment to make Section 8 effective on passage and approval.

Section 8 should also provide that Section 6, the extension of the Department of Commerce's rulemaking authority, which allows the Department to adopt rules to implement H.B. 107, is effective on passage and approval. My proposed amendments also make this change.

I urge your concurrence in these amendments.

1. Page 5, line 13.
Following: "(1)"
Strike: "Section 1 is"
Insert: "Sections 1 and 6 and this section are"

2. Page 5, line 14.
Following: "to"
Strike: "section 1"
Insert: "sections 1 and 6"

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 2/9/85

HB 122, introduced by D. Brown

HB 183, introduced by Ellerd, et al.

HB 184, introduced by Schye, et al.

HB 310, introduced by Waldron

HB 323, introduced by J.K. Moore, et al.

HB 352, introduced by Nelson

HB 372, introduced by Grady, et al.

HB 378, introduced by Donaldson

HB 446, introduced by J. Brown, Christiaens

HB 469, introduced by Zabrocki, et al.

HB 560, introduced by Bardanouve

HJR 20, introduced by Schultz, et al.

Senate bill concurred in as amended and returned to the Senate for concurrence in House amendments: 2/9/85

SJR 9, introduced by E. Smith

MOTIONS

Senator Regan moved that consideration on HB 11, on second reading this legislative day, be passed. Motion carried unanimously.

Senator Jacobson moved that SB 328 be taken from the Committee on Public Health, Welfare and Safety and that it be rereferred to the Committee on Judiciary. Motion carried unanimously.

Senator Haffey moved that the following names be added to the list of sponsors of SB 362: C. Smith, Jones. Motion carried unanimously.

Senator Van Valkenburg moved that HJR 3, on second reading this legislative day, be placed below HB 9. Motion carried unanimously.

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 375, introduced by Towe, Bardanouve. Referred to Committee on Public Health, Welfare and Safety.
SB 376, introduced by Towe, Bardanouve. Referred to Committee on Public Health, Welfare and Safety.
SB 377, introduced by Gage, Keating. Referred to Committee on Natural Resources.
SB 378, introduced by Lane, Yellowtail. Referred to Committee on Agriculture, Livestock and Irrigation.

SB 379, introduced by Weeding, Towe, Gage. Referred to Committee on Taxation.

SB 380, introduced by Thayer, H. Hammond, Galt, Fuller, Regan, Eck, B. Brown, Hirsch, Yellowtail, Manning, Mazurek, Hager, Weeding, Shaw, B. Williams, Bengtson, Keating, Pinsoneault, Lane, Towe, Jacobson, (By Request of the Governor). Referred to Committee on Business and Industry.

SB 381, introduced by Weeding, Towe. Referred to Committee on Judiciary.

SB 382, introduced by Neuman, B. Brown, E. Smith, Regan, Tveit, Winslow, Peck, J. Hammond, Christiaens, Eck, McCallum, Lane, Schye, Koehnke, Thoft, Towe, Weeding, Bengtson. Referred to Committee on Education and Cultural Resources.

SB 383, introduced by Halligan. Referred to Committee on Judiciary.

SB 384, introduced by Shaw, H. Hammond, Galt, Norman, Halligan, Thayer, Van Valkenburg, Anderson, Fuller, McCallum, Haffey, Stimatz, Jacobson, Daniels, Keating, Lynch, Himsl, Severson, B. Brown, Hager, Pinsoneault, Farrell, Story, Crippen, Stephens, Kolstad, Harding, Mazurek, Boylan, Marks. Referred to Committee on State Administration.

The following House bills were introduced, read first time, and referred to committees:

HB 122, introduced by D. Brown. Referred to Committee on Taxation.

HB 184, introduced by Schye, H. Hammond, Manning, Phillips, D. Brown, Cody, Norman, Thayer, Goodover, Haffey, Daniels, Lynch, Harrington, Keenan, Zabrocki, Peck, McCormick, Raney, Nathe, Quilici, Pavlovich, Howe, Asay, Holliday, Abrams, Manuel, Nisbet, Bachini, Pistoria, Krueger, Menahan, Driscoll, Montayne, Hart, Kennerly, Spaeth, Ream, Poff, Devlin, Jones, Conover, Compton, C. Smith, Peterson, Hand, Stephens, Addy, Stimatz, Van Valkenburg, McCallum, Jacobson, Christiaens. Referred to Committee on Business and Industry.

HB 259, introduced by Keenan, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Public Health, Welfare and Safety.

HB 310, introduced by Waldron. Referred to Committee on Judiciary.

HB 323, introduced by J.K. Moore, Swift, Thayer, Cobb. Referred to Committee on Judiciary.

HB 352, introduced by Nelson. Referred to Committee on Judiciary.

HB 372, introduced by Grady, Jenkins, Spaeth, Holliday, Patterson, Donaldson, Koehnke, Marks, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Natural Resources.

HB 378, introduced by Donaldson, (By Request of the Department of Labor and Industry). Referred to Committee on Labor and Employment Relations.

HB 446, introduced by J. Brown, Christiaens, (By Request of the Department of Revenue). Referred to Committee on Judiciary.

HB 469, introduced by Zabrocki, Hansen, J. Moore, Peck, J. Brown, Addy, Pistoria, Brandewie, O'Connell, Kadas, Miles, Schye, Cody, Fritz, Keller, Gilbert, Garcia, Raney, Harbin, Montayne, Koehnke. Referred to Committee on Taxation.

HB 560, introduced by Bardanouve, (By Request of the Department of Institutions). Referred to Committee on Public Health, Welfare and Safety.

HJR 20, introduced by Schultz, Holliday, Compton, Ellerd, Rapp-Svrcek, Keller, Patterson, Ellison, Devlin, Cody, Poff, Bachini, Switzer,

Jenkins, Howe, Fritz, Spaeth, Koehnke, Boylan, Kolstad, Lybeck, B. Williams, Lane, Conover, Galt, Aklestad, Severson, (By Request of the House Agriculture, Livestock, and Irrigation Committee). Referred to Committee on Natural Resources.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 33 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Neuman.
Total 1

Excused: None.
Total 0

Absent or not voting: Gage.
Total 1

SB 48 passed as follows:

Ayes: Bengtson, Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 27

Noes: Aklestad, Anderson, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 23

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Galt in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 237 - That SB 237 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 253 - That SB 253 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Kolstad in the Chair.

SB 255 - That SB 255 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Galt in the Chair.

SB 173 - That SB 173 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Towe moved that SB 206 be placed below HB 195. Motion carried unanimously.

SB 214 - That SB 214 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: Williams.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 226 - That SB 226 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 233 - That SB 233 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch,

Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 256 - That SB 256 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 261 - That SB 261 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Neuman.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 3 - Senator Van Valkenburg moved that a new standing committee report be printed to reflect the correct short title. Motion carried unanimously.

HB 3 - Senator Towe moved that consideration on HB 3 be passed for the day. Motion carried unanimously.

HB 9 - That HB 9 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 3 - That HJR 3 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 23 - That HB 23 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Hager, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Regan, Severson, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 40

Noes: Hammond, McCallum, Pinsoneault, Shaw, Smith, Mr. President.
Total 6

Excused: None.
Total 0

Absent or not voting: Boylan, Haffey, Halligan, Weeding.
Total 4

HB 34 - That HB 34 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith,

Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 94 - That HB 94 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 195 - That HB 195 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 206 - Senator Haffey moved that consideration on SB 206 be passed for the day. Motion carried unanimously.

HB 116 - That HB 116 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith,

Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 5 - That HJR 5 be concurred in. Senator Tveit made a substitute motion that HJR 5 be moved to the bottom of the board. Substitute motion carried unanimously.

SB 88 - That SB 88 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 180 - That SB 180 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 181 - That SB 181 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith,

Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 194 - That SB 194 do pass. Senator Towe made a substitute motion that consideration on SB 194 be passed for the day. Substitute motion carried unanimously.

SB 232 - That SB 232 do pass. Senator Van Valkenburg made a substitute motion that consideration on SB 232 be passed for the day. Substitute motion carried unanimously.

SB 239 - That SB 239 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Boylan, Regan.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 303 - That SB 303 do pass. Motion carried as follows:

Ayes: Bengtson, Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Yellowtail.
Total 24

Noes: Aklestad, Anderson, Boylan, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 22

Excused: None.
Total 0

Absent or not voting: Brown, Weeding, Williams, Mr. President.
Total 4

HJR 5 - Senator Tveit moved that consideration on HJR 5 be passed for the day. Motion carried unanimously.

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the

Chair. Chairman Galt moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Haffey moved that SB 206 be taken from second reading and that it be rereferred to the Committee on Judiciary. Motion carried unanimously.

Senator Tveit moved that his vote on SB 33, third reading this day, be recorded as yes. Motion carried unanimously.

Senator Van Valkenburg moved that the Senate adjourn until 2:30 p.m., February 12, 1985.

Motion carried.

Senate adjourned at 4:44 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

THIRTY-SECOND LEGISLATIVE DAY

Helena, Montana
February 12, 1985

Senate Chambers
State Capitol

Senate convened at 2:32 p.m., President Norman presiding. Invocation by the Chaplain, Pastor Monsen. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the thirty-first legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 2/12/85
Correctly printed and placed on the members' desks: SB 152, SB 169, SB 176, SB 186, SB 193, SB 195, SB 205, SB 215, SB 221, SB 225, SB 228, SB 229, SB 268.
Considered correctly engrossed: SB 88, SB 173, SB 180, SB 181, SB 214, SB 226, SB 233, SB 237, SB 239, SB 253, SB 255, SB 256, SB 261, SB 303.
Correctly enrolled: SR 2. 2/11/85
Examined by the sponsor (Blaylock) and found to be correct: SR 2.
Signed by the President at 4:00 p.m., 2/11/85: SR 2.

Report adopted.

COMMITTEES (Jacobson, Chairman): 2/11/85

Hereby appoint to the Business and Industry Committee: Cecil Weeding.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Boylan, Chairman): 2/11/85

HB 316, be concurred in. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Blaylock, Chairman): 2/11/85

HB 144, third reading copy, be amended as follows:

1. Title, line 9.
Following: "JUNE"
Strike: "1"
Insert: "15"

2. Page 3, line 18.
Following: "JUNE"
Strike: "1"
Insert: "15"

And, as amended, be concurred in. Report adopted.

HB 194, be concurred in. Report adopted.

JUDICIARY (Mazurek, Chairman): 2/11/85
SB 230, do pass. Report adopted.
SB 290, introduced bill, be amended as follows:

1. Title, lines 10 and 11.
Following: "MCA"
Strike: remainder of line 10 through "DATE" on line 11

2. Page 2, lines 20 and 21.
Strike: section 3 in its entirety

And, as amended, do pass. Report adopted.

HB 52, third reading copy, be amended as follows:

1. Title, line 10.
Following: "AMENDING"
Strike: "SECTION"
Insert: "SECTIONS 16-6-314 AND"

2. Page 2, line 5.
Following: "a"
Insert: "community-based"

3. Page 2, lines 6 through 8.
Following: "course" on line 6
Strike: remainder of line 6 through "department" on line 8

4. Page 3.
Following: line 8
Insert: "Section 2. Section 16-6-314, MCA, is amended to read:

"16-6-314. Penalty for violating code — revocation of license — penalty for violation by underage person. (1) ~~Any~~ A person ~~violating any of the provisions~~ who violates a provision of this code ~~shall, upon conviction thereof, be deemed~~ is guilty of a misdemeanor ~~and~~ punishable ~~by such fine or imprisonment, or both,~~ as provided in 46-18-212, except as is herein otherwise provided.

(2) If ~~any~~ a retail licensee is convicted of ~~any~~ an offense under this code, his license shall be immediately revoked or, in the discretion of the department, such other sanction imposed as may be authorized under 16-4-406.

(3) ~~Further, if any~~ A person under 19 years of age ~~is convicted of an offense under this code he shall be subject to a $100 fine or 30 days in confinement~~ who violates 16-3-301(3) or 16-6-305(3) is subject to the penalty provided in 45-5-624(2).""

And, as amended, be concurred in. Report adopted.

SB 184, do pass. Report adopted. 2/12/85
SB 257, do pass. Report adopted.
SB 267, do pass. Report adopted.
SB 298, do pass. Report adopted.
HB 103, third reading copy, be amended as follows:

1. Title, line 11.
Following: "OF"
Strike: "SEXUAL INTERCOURSE WITHOUT CONSENT,"

2. Title, line 14.
Following: "SECTIONS"
Insert: "41-5-201,"
Following: "41-5-204"
Insert: ","

3. Page 1, line 18.
Insert: "Section 1. Section 41-5-201, MCA, is amended to read:

"41-5-201. Youth court judge. (1) Each judicial district in the state shall have at least one judge of the youth court. His duties shall be to:

(a) appoint and supervise qualified personnel to staff the youth division probation departments within the judicial district;

(b) conduct hearings on youth court proceedings under this chapter;

(c) perform any other functions consistent with the legislative purpose of this chapter.

(2) In each multijudge judicial district the judges shall, by court rule, designate one or more of their number to act as youth court judge in each county in the judicial district for a fixed period of time. Service as youth court judge may be rotated among the different judges of the judicial district and among the individual counties within the judicial district for given periods of time. Continuity of service of a given judge as youth court judge and continuity in the operation and policies of the youth court in the county having the largest population in the judicial district shall be the principal consideration of the rule.""

Renumber: subsequent sections

4. Page 3, line 10.
Following: "constitute"
Strike: remainder of line 10 through "41-5-503," on line 11

5. Page 5, line 4.
Following: "may"
Strike: "SHALL"
Insert: "may"

6. Page 6, line 21.
Following: "proper"
Insert: "; however, no youth under 16 years of age may be confined in the state prison"

And, as amended, be concurred in. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Lynch, Chairman): 2/12/85

SB 194, committee adopted the following statement of intent:

Statement of Intent
SB 194

A statement of intent is required for this bill because it requires the adoption of rules by the workers' compensation division of the department of labor and industry.

The legislature intends that the division adopt only those rules required by sections 9 and 10 of this bill.

The rules adopted by the division to implement section 3 should require the submission of all training information on an affidavit on which the applicant must either list the name, place, and dates of attendance of a training school approved by the division and published in its list of approved schools or give sufficient information to allow the division to judge the content and quality of the program.

Because of the highly dangerous nature of the business regulated by this legislation, the legislature intends that all persons, except those already holding licenses and qualifying under the provisions of section 13, must comply with section 2(2)(a) through (2)(d), whether applying for an initial license by examination, reexamination under section 4(3), or licensure by other jurisdictions under section 6. Fees for reexamination within 2 years

of the initial examination should be less than fees for the initial examination because no training and experience information need be reviewed and verified.

In developing rules on the use of explosives under sections 9 and 10, it is intended that the division pay particular attention to the publication entitled "Suggested Code of Regulations", published by the institute of makers of explosives (IME), in addition to any industry recommendations or publications by other states.

Rules adopted under section 10(5) are intended to be only such procedural rules as the division needs to receive applications, act on variance requests, conduct revocation hearings, and so forth.

Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman): 2/11/85

SB 254, introduced bill, be amended as follows:

1. Page 3, lines 2 and 3.
Following: "more" on line 2
Strike: remainder of line 2 through "government" on line 3
Following: "programs" on line 3
Insert: "in the county"

And, as amended, do pass. Report adopted.

SB 311, do pass. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 2/12/85

SB 251, do pass. Report adopted.

Adverse Committee Reports

JUDICIARY (Mazurek, Chairman): 2/12/85

SB 245, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 41

Noes: Bengtson, Crippen, Gage, Galt, Hammond, Keating, Mazurek, Pinsoneault, Story.
Total 9

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 106, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.

Total 43

Noes: Bengtson, Brown, Eck, Goodover, Mohar, Regan, Yellowtail.
Total 7

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SPECIAL ORDERS OF THE DAY

Representative Harry Fritz of Missoula played Abraham Lincoln and spoke to the Senate to celebrate Lincoln's Birthday.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 5.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bill concurred in and returned to the Senate: 2/11/85

SB 71, introduced by Hager

House bills passed and transmitted to the Senate for concurrence: 2/11/85

HB 101, introduced by D. Brown

HB 333, introduced by Bradley, et al.

HB 335, introduced by Bradley, et al.

HB 340, introduced by Ramirez, Garcia

HB 351, introduced by Schultz

HB 358, introduced by Kadas, et al.

HB 359, introduced by Nisbet, Miller

HB 373, introduced by Nathe

HB 412, introduced by Hayne

HB 428, introduced by Miles

HB 440, introduced by J. Brown, et al.

HB 462, introduced by Donaldson, et al.

HB 518, introduced by Driscoll, et al.

HB 582, introduced by Wallin

HB 609, introduced by Ramirez

MOTIONS

Senator Thayer moved that consideration on SB 232, on second reading this legislative day, be passed until the 34th legislative day, 2/14/85. Motion carried unanimously.

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 385, introduced by Crippen, Van Valkenburg, Norman, Pinsoneault, Haffey, Halligan, Fritz, Harbin, Hansen, Farrell, Ream, Lory. Referred to Committee on Education and Cultural Resources.

SB 386, introduced by E. Smith, H. Hammond, Tveit. Referred to Committee on Taxation.

SB 387, introduced by Lybeck, Blaylock, Galt, Cohen, Schye, Eck, Iverson, Neuman, Farrell, Hager, Weeding, Spaeth, Switzer, Devlin, Connelly, Koehnke, Lane, Manuel, E. Smith, B. Brown, H. Hammond, Halligan, J. Moore, Jacobson, Boylan, Zabrocki, Mohar. Referred to Committee on Highways and Transportation.

SB 388, introduced by Jacobson, Harp. Referred to Committee on Fish and Game.

SB 389, introduced by Hirsch. Referred to Committee on Local Government.

SB 390, introduced by Mazurek, Stephens, Thayer, J.K. Moore, Rehberg, E. Smith, Daniels, Hager, Fuller, Boylan, Keating, Ramirez. Referred to Committee on Taxation.

SB 391, introduced by Boylan, Addy, Pistoria, J.K. Moore, Neuman, Gould, O'Connell, Halligan, Harp, Manning, Tveit, Koehnke, C. Smith, Spaeth, Kennerly, Galt. Referred to Committee on Business and Industry.

SB 392, introduced by Daniels. Referred to Committee on Judiciary.

SB 393, introduced by Keating, Wallin, J.K. Moore, Thayer. Referred to Committee on Labor and Employment Relations.

SB 394, introduced by Lynch, Kolstad, Jacobson, Keating, Aklestad, Iverson, Galt, Stimatz, Boylan, B. Williams, Lane, Harding, Gage, Crippen. Referred to Committee on Natural Resources.

SB 395, introduced by Hirsch, Towe. Referred to Committee on Taxation.

SB 396, introduced by Yellowtail. Referred to Committee on Highways and Transportation.

SB 397, introduced by Pinsoneault, Thayer. Referred to Committee on Education and Cultural Resources.

SB 398, introduced by Pinsoneault, Van Valkenburg. Referred to Committee on Local Government.

SB 399, introduced by Crippen, Keyser, (By Request of the Securities Division of the State Auditor's Office). Referred to Committee on Business and Industry.

SJR 20, introduced by Van Valkenburg, Halligan, Haffey, Farrell, McCallum, Kadas, Norman, Hansen, Pinsoneault, Thomas, Ream, Waldron, Eudaily, Gould, Fritz, J. Moore, Lory. Referred to Committee on Local Government.

The following House bills were introduced, read first time, and referred to committees:

HB 101, introduced by D. Brown. Referred to Committee on Taxation.

HB 183, introduced by Ellerd, Vincent, Harper, Spaeth, O'Hara, Keller, Sands, Kadas, M. Williams, Harrington, Connelly, Bradley, Bachini, Koehnke, Glaser, Brandewie, Bergene, Miles, Winslow, Darko, Thomas, Mercer, Ramirez, Marks, Kitselman, Nelson, Ream, Hayne, Peterson, Menahan, O'Connell, Peck, J. Moore, Hansen, Waldron. Referred to Committee on Business and Industry.

HB 333, introduced by Bradley, Wallin, Bachini. Referred to Committee on Local Government.

HB 335, introduced by Bradley, Wallin, Bachini, Waldron. Referred to Committee on Judiciary.

HB 340, introduced by Ramirez, Garcia. Referred to Committee on Judiciary.

HB 351, introduced by Schultz, (By Request of the Public Employees' Retirement Board). Referred to Committee on State Administration.

HB 358, introduced by Kadas, Pinsoneault, Ream, Schye, J. Hammond, Garcia. Referred to Committee on Public Health, Welfare and Safety.

HB 359, introduced by Nisbet, Miller, (By Request of the Department of Commerce). Referred to Committee on Business and Industry.

HB 373, introduced by Nathe. Referred to Committee on Taxation.

HB 412, introduced by Hayne, (By Request of the Office of Public Instruction). Referred to Committee on Education and Cultural Resources.

HB 428, introduced by Miles, (By Request of the Department of Labor and Industry). Referred to Committee on Labor and Employment Relations.

HB 440, introduced by J. Brown, Bergene, Christiaens, (By Request of the Department of Revenue). Referred to Committee on Judiciary.

HB 462, introduced by Donaldson, Marks, Koehnke, Mazurek, Fuller, Campbell. Referred to Committee on Business and Industry.

HB 518, introduced by Driscoll, Pavlovich, Quilici, Darko, Bachini, McCormick, M. Williams, O'Connor. Referred to Committee on Taxation.

HB 582, introduced by Wallin. Referred to Committee on Natural Resources.

HB 609, introduced by Ramirez. Referred to Committee on Judiciary.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 110 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 134 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Galt, Hager, Himsl, Shaw, Smith.

Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 140 passed as follows:

Ayes: Aklestad, Anderson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Bengtson, Boylan, Himsl, Kolstad, Shaw.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 177 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Farrell, Himsl, Hirsch, Mohar, Smith.
Total 5

Excused: None.
Total 0

Absent or not voting: Blaylock.
Total 1

SB 185 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, Neuman, Pinsoneault, Regan, Shaw, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 37

Noes: Aklestad, Christiaens, Farrell, Hager, Hammond, Harding, Himsl, Kolstad, McCallum, Mohar, Severson, Smith, Thayer.
Total 13

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 190 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 197 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 209 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Halligan, Hammond, Jacobson, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Regan, Smith, Stephens, Stimatz, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 33

Noes: Aklestad, Boylan, Daniels, Gage, Hager, Harding, Himsl, Hirsch, Keating, Kolstad, Lybeck, Neuman, Pinsoneault, Severson, Shaw, Story, Thayer.
Total 17

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of Senator Van Valkenburg, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that House Amendments to SJR 9 be taken from second reading and rereferred to printing. Motion carried unanimously.

Senator Eck moved that the Senate reconsider its action in adopting the adverse committee report on SB 295 and that it be printed and placed on second reading. Motion failed as follows:

Ayes: Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Jacobson, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 21

Noes: Aklestad, Anderson, Bengtson, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams.
Total 29

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Haffey in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 146 - That SB 146, second reading copy, be amended as follows:

1. Title.
Following: line 10
Insert: "TO ALLOW THE BOARD OF REALTY REGULATION TO PRESCRIBE BY RULE CONTINUING EDUCATION REQUIREMENTS NOT TO EXCEED 15 HOURS IN ANY 2-YEAR PERIOD;"

2. Title, line 11.
Following: "~~AND~~"
Strike: "SECTION"
Insert: "SECTIONS 37-51-204 AND"

3. Page 2.
Following: line 1
Insert: "Section 1. Section 37-51-204, MCA, is amended to read:

"37-51-204. Educational programs and continuing education. (1) The board may, subject to 37-1-101, conduct, hold, or assist in conducting or holding real estate clinics, meetings, courses, or institutes and incur necessary expenses in this connection.

(2) The board may assist libraries and educational institutions in sponsoring studies and programs for the purpose of raising the standards of the real estate business and the competency of licensees.

(3) The board may prescribe by rule continuing education requirements, not to exceed 15 hours in any 2-year period.""
Renumber: subsequent sections

Amendment passed as follows:

Ayes: Anderson, Boylan, Brown, Conover, Crippen, Eck, Fuller, Goodover, Haffey, Halligan, Himsl, Keating, Kolstad, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Severson, Shaw, Story, Thayer, Towe, Van Valkenburg, Williams, Yellowtail.
Total 26

Noes: Aklestad, Bengtson, Blaylock, Christiaens, Farrell, Gage, Galt, Hager, Hammond, Harding, Hirsch, Jacobson, Lane, Lybeck, Lynch, McCallum, Regan, Smith, Stephens, Stimatz, Tveit, Weeding.
Total 22

Excused: None.
Total 0

Absent or not voting: Daniels, Mr. President.
Total 2

SB 146 - Senator Haffey moved that SB 146, without objection, be placed below SB 201. Motion carried unanimously.

SB 194 - That SB 194 do pass. Motion carried as follows:

Ayes: Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Haffey, Halligan, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Story, Towe, Tveit, Weeding, Williams, Yellowtail.
Total 33

Noes: Aklestad, Anderson, Galt, Goodover, Hager, Hammond, Himsl, McCallum, Severson, Shaw, Smith.
Total 11

Excused: None.
Total 0

Absent or not voting: Brown, Daniels, Stephens, Thayer, Van Valkenburg, Mr. President.
Total 6

SB 201 - That SB 201 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.

Total 0

SB 146 - Senator Regan moved that SB 146, without objection, be placed below SB 223. Motion carried unanimously.

SB 212 - That SB 212, second reading copy, be amended as follows:

1. Title, line 6.
Following: "TO"
Insert: "MAINTAIN OR"

2. Page 1, line 20.
Following: "563(b))"
Insert: "or any interstate or federal proposal for the purpose of maintaining or augmenting rail passage service in the state"

Amendment passed as follows:

Ayes: Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Haffey, Jacobson, Lane, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Shaw, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 24

Noes: Aklestad, Anderson, Farrell, Gage, Galt, Goodover, Hammond, Harding, Himsl, Keating, Kolstad, Lybeck, McCallum, Neuman, Severson, Smith, Stephens, Thayer, Tveit.
Total 19

Excused: None.
Total 0

Absent or not voting: Bengtson, Blaylock, Brown, Hager, Halligan, Hirsch, Mr. President.
Total 7

That SB 212, as amended, do pass. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Haffey, Hager, Halligan, Jacobson, Lane, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Shaw, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 31

Noes: Aklestad, Farrell, Gage, Galt, Goodover, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lybeck, McCallum, Neuman, Smith, Stephens, Thayer, Tveit.
Total 18

Excused: None.
Total 0

Absent or not voting: Severson.
Total 1

SB 223 - That SB 223, second reading copy, be amended as follows:

1. Page 3, line 6.
Following: "that"
Strike: "must"
Insert: "will be no higher than necessary to"

2. Page 3, line 23.

Strike: "$500"
Insert: "$25"

Senator Neuman made a substitute motion that Senator Story's amendment be divided. Motion carried unanimously.

Amendment 1 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Mohar.
Total 1

Amendment 2 passed as follows:

Ayes: Aklestad, Anderson, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Mazurek, McCallum, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit.
Total 28

Noes: Bengtson, Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lynch, Manning, Mohar, Neuman, Pinsoneault, Regan, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 22

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senate stood at ease at 4:36 p.m.

Senate reconvened at 4:42 p.m.

Senator Neuman moved that SB 223, be further amended by amending Senator Story's committee of the whole amendment 2 as follows:

1. Amendment #2.
Strike: "25"
Insert: "150"

Senator Neuman's amendment passed as follows:

Ayes: Bengtson, Blaylock, Boylan, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 26

Noes: Aklestad, Anderson, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 23

Excused: None.
Total 0

Absent or not voting: Mr. President.
Total 1

Senator Neuman moved that consideration on SB 223 be passed for the day. Motion carried unanimously.

SB 146 - That SB 146 be further amended by amending Senator Halligan's committee of the whole amendment as follows:

1. Amendment No. 3.
Following: "requirements" in subsection (3)
Insert: "for all licensees"

Amendment passed as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Galt, Haffey, Halligan, Hammond, Himsl, Hirsch, Keating, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 35

Noes: Aklestad, Anderson, Boylan, Daniels, Gage, Hager, Jacobson, Lynch, Smith, Stimatz, Tveit.
Total 11

Excused: None.
Total 0

Absent or not voting: Goodover, Harding, Kolstad, Story.
Total 4

That SB 146, as amended, do pass. Motion carried as follows:

Ayes: Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Shaw, Stephens, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 38

Noes: Aklestad, Bengtson, Daniels, Gage, Hager, Jacobson, Lynch, Regan, Severson, Smith, Stimatz.
Total 11

Excused: None.
Total 0

Absent or not voting: Story.
Total 1

Senator Lynch in the Chair.

HB 3 - That HB 3, third reading copy, be amended as follows:

1. Page 2, line 17.
Following: "received"

Strike: "to"
Insert: "from such landowners to no greater than one-third of"

2. Page 2, lines 18 through 22.
Following: "in the" on line 18
Strike: "approved plan"
Insert: "appropriation."
Strike: remainder of line 18 through line 22

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 3, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Haffey in the Chair.

Senator Van Valkenburg moved that the committee rise. Motion carried unanimously. Senate arose at 5:15 p.m. due to a power failure.

Senate reconvened at 5:30 p.m.

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Senator Van Valkenburg moved that the Committee of the Whole Report be deemed read. Motion carried unanimously. Chairman Haffey moved the adoption of the committee report. Report adopted.

Senator Van Valkenburg moved that the Senate adjourn until 2:30 p.m., February 13, 1985.

Motion carried.

Senate adjourned at 5:35 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

THIRTY-THIRD LEGISLATIVE DAY

Helena, Montana
February 13, 1985

Senate Chambers
State Capitol

Senate convened at 2:35 p.m., President Norman presiding. Invocation by the Chaplain, Pastor Monsen. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 2/13/85
Correctly printed and placed on the members' desks: SB 184, SB 230, SB 251, SB 254, SB 257, SB 267, SB 290, SB 298, SB 311.
Correctly engrossed: SB 146, SB 194, SB 212.
Considered correctly engrossed: SB 201.

Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 2/13/85
SB 343, do pass. Report adopted.

JUDICIARY (Mazurek, Chairman): 2/13/85
HB 13, be concurred in. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Lynch, Chairman): 2/12/85
SB 337, do pass. Report adopted.
SB 341, introduced bill, be amended as follows:

1. Title, lines 5 through 7.
Following: "EMPLOYEES" on line 5
Strike: remainder of line 5 through "AMENDING" on line 7
Insert: "; REPEALING"

2. Page 1, lines 10 through 18.
Following: "Section 1." on line 10
Insert: "Repealer."
Following: "is" on line 10
Strike: remainder of lines 10 through 18
Insert: "repealed."

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Fuller, Chairman): 2/12/85
SB 187, introduced bill, be amended as follows:

1. Title, line 13.
Following: "MCA;"
Insert: "AND"

2. Title, line 14.
Following: "MCA"
Strike: remainder of line 14 through "DATE"

3. Page 8, lines 2 and 3.
Strike: section 6 in its entirety

And, as amended, do pass. Report adopted.

SB 188, introduced bill, be amended as follows:

1. Title, lines 10 and 11.
Following: "MCA"

Strike: remainder of line 10 through "DATE" on line 11

2. Page 8, lines 19 and 20.
Strike: section 6 in its entirety

And, as amended, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stimatz, Chairman): 2/12/85
SB 107, introduced bill, be amended as follows:

1. Page 1, line 10.
Following: "vehicle"
Insert: ", except a vehicle transporting agricultural products,"

2. Page 1, line 11.
Following: "prevent"
Strike: "it from falling off"
Insert: "any material from creating an obstruction on the highway dangerous to the traveling public. As used in this section, "agricultural products" does not include firewood."

And, as amended, do pass. Report adopted.

HB 22, be concurred in. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 2/13/85
SB 242, do pass. Report adopted.

TAXATION (Towe, Chairman): 2/13/85
SB 249, do pass. Report adopted.

Adverse Committee Reports

BUSINESS AND INDUSTRY (Halligan, Chairman): 2/13/85
SB 250, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Daniels, Eck, Farrell, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Neuman, Pinsoneault, Severson, Smith, Stephens, Stimatz, Tveit, Van Valkenburg, Weeding, Mr. President.
Total 35

Noes: Christiaens, Fuller, Halligan, Lane, Manning, Mazurek, McCallum, Mohar, Regan, Shaw, Thayer, Towe, Williams, Yellowtail.
Total 14

Excused: None.
Total 0

Absent or not voting: Story.
Total 1

SPECIAL ORDERS OF THE DAY

The Associated Students of the University of Montana presented the University of Montana String Quartet and the University of Montana Brass Quintet in performance.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 5.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 2/12/85

HB 33, introduced by Keenan

HB 86, introduced by Koehnke

HB 168, introduced by Donaldson, et al.

HB 171, introduced by Switzer, et al.

HB 186, introduced by Pistoria

HB 230, introduced by Swift, et al.

HB 245, introduced by Connelly, et al.

HB 256, introduced by Eudaily, Lory

HB 284, introduced by Harper, et al.

HB 339, introduced by Ramirez, et al.

HB 353, introduced by Nelson

HB 379, introduced by Garcia, et al.

HB 394, introduced by D. Brown, Krueger

HB 401, introduced by Manuel

HB 416, introduced by Keller

HB 424, introduced by Howe

HB 432, introduced by Gilbert

HB 453, introduced by Bradley

HB 464, introduced by Marks, et al.

HB 467, introduced by Hannah, et al.

HB 468, introduced by Addy

HB 482, introduced by Pistoria, et al.

HB 488, introduced by Iverson, et al.

HB 532, introduced by Pistoria, et al.

HB 547, introduced by Miles, et al.

HB 602, introduced by Fritz, et al.

HB 463, introduced by Marks, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the House and is transmitted to the Senate for concurrence, with the following vote: 2/12/85

House of Representatives
Ayes-80
Noes-18

Governor's amendments to House bills concurred in and returned to the Senate for concurrence in Governor's amendments:

Governor's Amendments to HB 107

MOTIONS

Senator Lynch moved that SB 394 be taken from the Committee on Natural Resources and that it be rereferred to the Committee on Business and Industry. Motion carried unanimously.

Senator Hammond moved that HB 23 be taken from third reading and that it be placed on second reading next week. Motion carried unanimously.

Senator Jacobson moved that SB 375 and SB 376 be taken from the Committee on Public Health, Welfare and Safety and that they be rereferred to the Committee on Judiciary. Motion carried unanimously.

Senator Fuller moved that consideration on SB 195, on second reading this legislative day, be passed. Motion carried unanimously.

Senator Regan moved that HB 11 be taken from second reading and that it be rereferred to the Committee on Education and Cultural Resources. Motion carried unanimously.

Senator Van Valkenburg moved that HB 106, being a Constitutional Amendment, acted upon by the Senate on the 32nd legislative day, by the adoption of an adverse committee report, be placed on third reading. Motion withdrawn.

Senator Van Valkenburg moved that HB 106 be printed and placed on second reading. Motion carried unanimously.

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 400, introduced by Yellowtail, Howe, Crippen, Rapp-Svrcek, Holliday, Hanson, Anderson, Lane, Bengtson, Hirsch, Lybeck, Manning, Galt, Towe, Boylan, H. Hammond, Mazurek, Halligan, Wallin, Weeding, E. Smith, Shaw, (By Request of the Department of Revenue). Referred to Committee on Taxation.

SB 401, introduced by Boylan, Mazurek, Lane, Wallin, Ellerd. Referred to Committee on Taxation.

SB 402, introduced by Fuller, Mazurek, Lynch. Referred to Committee on Labor and Employment Relations.

SB 403, introduced by Halligan, Towe, J. Hammond. Referred to Committee on Business and Industry.

SB 404, introduced by Yellowtail, Lane, Halligan, (By Request of the Board of Realty Regulation). Referred to Committee on Business and Industry.

SB 405, introduced by Stimatz. Referred to Committee on Taxation.

SB 406, introduced by Lynch, C. Smith, (By Request of the Department of Justice). Referred to Committee on Judiciary.

SB 407, introduced by B. Williams, Kolstad, Boylan, Fuller, Christiaens, Neuman, Thayer, Halligan, Crippen, Weeding, Goodover, (By Request of the Senate Committee on Business and Industry). Referred to Committee on Agriculture, Livestock and Irrigation.

SB 408, introduced by Thayer, Halligan, Neuman, Gage, Fuller, Christiaens, Boylan, Weeding, Goodover, B. Williams, Kolstad, (By Request of the Senate Business and Industry Committee). Referred to Committee on Business and Industry.

The following House bills were introduced, read first time, and referred to committees:

HB 33, introduced by Keenan, (By Request of the Department of Revenue and the Revenue Oversight Committee). Referred to Committee on Highways and Transportation.

HB 86, introduced by Koehnke. Referred to Committee on Highways and Transportation.

HB 168, introduced by Donaldson, Switzer, Asay, Keller, Ellison, Koehnke, Hayne, Holliday, Neuman. Referred to Committee on Taxation.

HB 171, introduced by Switzer, Devlin, Marks, Vincent. Referred to Committee on Taxation.

HB 186, introduced by Pistoria. Referred to Committee on Public Health, Welfare and Safety.

HB 230, introduced by Swift, Thoft, Thomas, Phillips, Jones, Sands, Devlin, Severson. Referred to Committee on Highways and Transportation.

HB 245, introduced by Connelly, Peck, Bachini, McCormick, (By Request of the Department of Justice, Motor Vehicle Division). Referred to Committee on Highways and Transportation.

HB 256, introduced by Eudaily, Lory, (By Request of the Teachers' Retirement Board). Referred to Committee on State Administration.

HB 284, introduced by Harper, Donaldson, Fuller, Quilici, (By Request of the Department of Labor and Industry). Referred to Committee on Labor and Employment Relations.

HB 339, introduced by Ramirez, Mazurek, Addy, Rehberg, Hannah, Fritz, Harper, Eudaily. Referred to Committee on Taxation.

HB 353, introduced by Nelson. Referred to Committee on Judiciary.

HB 379, introduced by Garcia, Abrams, Campbell, Ramirez. Referred to Committee on Local Government.

HB 394, introduced by D. Brown, Krueger. Referred to Committee on State Administration.

HB 401, introduced by Manuel, (By Request of the Milk Control Bureau). Referred to Committee on Agriculture, Livestock and Irrigation.

HB 416, introduced by Keller, (By Request of the Office of Public Instruction). Referred to Committee on Education and Cultural Resources.

HB 424, introduced by Howe, (By Request of the Department of Justice, Motor Vehicle Division). Referred to Committee on Highways and Transportation.

HB 432, introduced by Gilbert, (By Request of the Office of Public Instruction). Referred to Committee on Education and Cultural Resources.

HB 453, introduced by Bradley. Referred to Committee on Labor and Employment Relations.

HB 464, introduced by Marks, Pistoria, Hannah, Harp, O'Hara, J. Brown, Koehnke, Keyser, Brandewie, Thoft, Ellerd, Rapp-Svrcek, Thomas, Swift. Referred to Committee on State Administration.

HB 467, introduced by Hannah, Marks, Campbell. Referred to Committee on Labor and Employment Relations.

HB 468, introduced by Addy. Referred to Committee on Business and Industry.

HB 482, introduced by Pistoria, Peck, Bachini, J.K. Moore, McCormick, O'Connell, Ream, Harrington, Garcia, J. Hammond, J. Brown, Cobb, Miller, Bergene, Vincent, Hand. Referred to Committee on State Administration.

HB 488, introduced by Iverson, Mazurek, Kolstad, Galt, Bachini, Lybeck, Harper, Marks, Bardanouve, Aklestad, Ernst, Nathe, Manuel. Referred to Committee on State Administration.

HB 532, introduced by Pistoria, Peck, O'Connell, J.K. Moore, Harp, Harper, Addy. Referred to Committee on Judiciary.

HB 547, introduced by Miles, Keenan, Rapp-Svrcek, Bradley, Spaeth, Halligan, Regan. Referred to Committee on Judiciary.

HB 602, introduced by Fritz, Schye, Eck, Lory, Blaylock, B. Brown. Referred to Committee on Business and Industry.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 88 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Pinsoneault.
Total 1

SB 173 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 180 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 181 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 214 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 226 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 233 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 237 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 239 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 253 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek,

McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Severson.
Total 1

SB 255 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Conover, Crippen, Daniels, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Himsl, Hirsch, Jacobson, Lane, Lynch, Mazurek, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 33

Noes: Aklestad, Brown, Christiaens, Eck, Gage, Hammond, Harding, Keating, Kolstad, Lybeck, Manning, McCallum, Mohar, Neuman, Regan, Story, Weeding.
Total 17

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 256 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 261 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Neuman, Stimatz.
Total 2

Excused: None.
Total 0

Absent or not voting: Brown.
Total 1

SB 303 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Haffey, Hager, Halligan, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 41

Noes: Aklestad, Farrell, Galt, Goodover, Hammond, Hirsch, Shaw, Smith, Tveit.
Total 9

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 9 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 34 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.

Total 0

Absent or not voting: None.
Total 0

HB 94 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 116 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Regan.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 195 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 3 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Aklestad in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 81 - That HB 81 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 350 - That HB 350 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HJR 5, without objection, be moved to the bottom of the board.

SB 152 - That SB 152, second reading copy, be amended as follows:

1. Page 1, line 21.
Strike: "CLEAR AND CONVINCING"
Insert: "a preponderance of the"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 46

Noes: Crippen, Daniels, Towe, Yellowtail.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That SB 152, be further amended as follows:

1. Page 2, lines 3 and 4.
Following: "CHILD"
Strike: remainder of line 3 through "OTHER"

Amendment failed as follows:

Ayes: Aklestad, Brown, Conover, Daniels, Fuller, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Lybeck, Lynch, Manning, Mazurek, Mohar, Regan, Stimatz, Story, Van Valkenburg.
Total 20

Noes: Anderson, Bengtson, Blaylock, Boylan, Christiaens, Crippen, Eck, Gage, Galt, Goodover, Hager, Hammond, Keating, Kolstad, Lane, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Towe, Weeding, Yellowtail.
Total 24

Excused: None.
Total 0

Absent or not voting: Farrell, McCallum, Thayer, Tveit, Williams, Mr. President.
Total 6

That SB 152, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Hager, Hammond, Harding, Himsl,

Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 35

Noes: Boylan, Christiaens, Daniels, Goodover, Haffey, Halligan, Hirsch, Jacobson, Lynch, McCallum, Mohar, Neuman, Regan, Story, Van Valkenburg.
Total 15

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 169 - That SB 169 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Lynch.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 176 - That SB 176 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, McCallum, Mohar, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Weeding.
Total 33

Noes: Daniels, Eck, Fuller, Haffey, Lane, Lynch, Manning, Mazurek, Neuman, Regan, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 14

Excused: None.
Total 0

Absent or not voting: Halligan, Stimatz, Towe.
Total 3

SB 186 - That SB 186 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 193 - That SB 193 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 205 - That SB 205 do pass. Motion failed as follows:

Ayes: Blaylock, Christiaens, Conover, Fuller, Galt, Haffey, Halligan, Jacobson, Lane, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Mr. President.
Total 21

Noes: Aklestad, Anderson, Bengtson, Boylan, Crippen, Daniels, Farrell, Gage, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lybeck, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams.
Total 26

Excused: None.
Total 0

Absent or not voting: Brown, Eck, Yellowtail.
Total 3

That SB 205 be indefinitely postponed. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Crippen, Daniels, Farrell, Gage, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lybeck, Mazurek, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 32

Noes: Blaylock, Christiaens, Conover, Fuller, Galt, Haffey, Jacobson, Lane, Lynch, Manning, Mohar, Neuman, Regan, Towe.
Total 14

Excused: None.

Total 0

Absent or not voting: Brown, Eck, Stimatz, Yellowtail.
Total 4

SB 215 - That SB 215 do pass. Motion carried as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Haffey, Hager, Halligan, Harding, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Smith, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 38

Noes: Aklestad, Anderson, Boylan, Farrell, Goodover, Hammond, Himsl, Hirsch, McCallum, Severson, Shaw, Tveit.
Total 12

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 221 - That SB 221 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Blaylock, Hammond, Keating.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 223 - That SB 223, without objection, be placed below SB 268.

SB 225 - That SB 225 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.

Total 0

SB 228 - That SB 228 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 49

Noes: Yellowtail.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 229 - That SB 229 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 268 - That SB 268 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair.

SB 221 - Senator Christiaens moved that SB 221 be segregated from the Committee of the Whole report. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Keating, Kolstad, Mazurek, Pinsoneault, Regan, Shaw, Stimatz, Van Valkenburg, Weeding, Mr. President.
Total 27

Noes: Boylan, Daniels, Farrell, Galt, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Severson, Smith, Stephens, Story, Thayer, Tveit, Williams, Yellowtail.
Total 21

Excused: None.
Total 0

Absent or not voting: Neuman, Towe.
Total 2

SB 205 - Senator Christiaens moved that SB 205 be segregated from the Committee of the Whole report. Motion failed as follows:

Ayes: Bengtson, Blaylock, Christiaens, Conover, Eck, Fuller, Gage, Galt, Haffey, Halligan, Harding, Jacobson, Lane, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Stimatz, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 24

Noes: Aklestad, Anderson, Boylan, Brown, Crippen, Daniels, Farrell, Goodover, Hager, Hammond, Himsl, Hirsch, Keating, Kolstad, Lybeck, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams.
Total 24

Excused: None.
Total 0

Absent or not voting: Neuman, Towe.
Total 2

Chairman Aklestad moved the adoption of the committee report, as amended. Report adopted.

SPECIAL ORDERS OF THE DAY

The Senate considered the Governor's appointment for confirmation.

Senator Haffey moved that the appointment of Robert W. Holmstrom, Billings, Montana, appointed to serve until he or his successor is duly elected and qualified in accordance with the laws of Montana, as Judge of District Court, Thirteenth Judicial District of the State of Montana, be confirmed in accordance with the Senate Resolution and be voted upon with the ayes and nays spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Eck, Neuman, Towe.
Total 3

Senator Van Valkenburg moved that the Senate adjourn until 2:30 p.m., February 14, 1985.

Motion carried.

Senate adjourned at 5:58 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

THIRTY-FOURTH LEGISLATIVE DAY

Helena, Montana
February 14, 1985

Senate Chambers
State Capitol

Senate convened at 2:31 p.m., President Norman presiding. Invocation by the Chaplain, Pastor Monsen. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the thirty-second legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 2/14/85
Correctly printed and placed on the members' desks: SB 107, SB 187, SB 188, SB 242, SB 249, SB 337, SB 341, SB 343.
Correctly engrossed: SB 152.
Considered correctly engrossed: SB 169, SB 176, SB 186, SB 193, SB 215, SB 225, SB 228, SB 229, SB 268.
Correctly enrolled: SB 71.
Examined by the sponsor (Hager) and found to be correct: SB 71.
Signed by the President at 9:30 a.m., 2/14/85: SB 71, HB 77, HB 142, HB 148.

Report adopted.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Boylan, Chairman): 2/13/85

SB 301, introduced bill, be amended as follows:

1. Title, line 6.
Following: "DEADLINES"
Insert: "AND RELATED ENFORCEMENT PROCEDURES"
Following: "STATE"
Strike: "AGRICULTURAL"

2. Page 2, line 9.
Following: "rental"
Strike: "shall be paid"
Insert: "is due"

3. Page 2, line 11.
Following: "harvested"
Strike: ", except that when the lessee is the United States,"
Insert: ". If"

4. Page 2, line 12.
Following: "rental"
Strike: "shall be"
Insert: "is not"

5. Page 2, line 13.
Following: "harvested"
Insert: ", the entire lease is canceled"

6. Page 2.
Following: line 16

Insert: "(3) At least 2 weeks prior to the final deadline for payment under subsection (1) or (2), the department shall send by certified mail to each lessee who has not made payment a letter notifying the lessee that the lease is canceled if payment is not received by the final deadline. The notice shall be sent to the lessee at the address given in the lease."
Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

HB 233, be concurred in. Report adopted.
HB 317, be concurred in. Report adopted.
HB 459, be concurred in. Report adopted.
HJR 17, be concurred in. Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 2/14/85
SB 350, introduced bill, be amended as follows:

1. Page 8, line 25.
Following: "a"
Strike: "first"

2. Page 11, line 3.
Following: "a"
Strike: "first"

And, as amended, do pass. Report adopted.

SB 399, introduced bill, be amended as follows:

1. Page 30.
Following: line 17
Strike: "30-10-201(1)"
Insert: "30-10-201(4)"

And, as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Blaylock, Chairman): 2/13/85
SB 109, introduced bill, be amended as follows:

1. Page 4, lines 1 through 7.
Strike: subsection (b) in its entirety
Renumber: subsequent subsection

2. Page 6, line 2.
Following: "museum"
Strike: "promptly"

3. Page 6, lines 3 through 5.
Following: "property." on line 3
Strike: remainder of line 3 through line 5 in their entirety

4. Page 8, line 22.
Following: "so"
Strike: "promptly"

5. Page 9, lines 18 and 19.
Following: "museum" on line 18
Strike: "represents that it"

6. Page 10, line 4.
Following: "at"
Strike: "5"

Insert: "10"

And, as amended, do pass. Report adopted.

SB 315, do pass. Report adopted.

FINANCE AND CLAIMS (Regan, Chairman): 2/13/85
SB 270, introduced bill, be amended as follows:

1. Page 2.
Following: line 18
Strike: "1987"
Insert: "1989"

2. Page 4, line 9.
Following: "June 30,"
Strike: "1987"
Insert: "1989"

3. Page 4.
Following: line 9
Strike: "9%"
Insert: "4%"

4. Page 4, line 12.
Following: "June 30,"
Strike: "1987"
Insert: "1989"

5. Page 4, line 16.
Following: "(1)"
Strike: "and (2)"
Insert: "through (3)"

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
SB 270

A statement of intent is required for this bill because it grants rule-making authority to the department of commerce in section 7.

The department is directed to establish rules to include the following:

(1) establishment of criteria for loan project eligibility, standards for priority selection of approved loans, criteria for loan terms, rates, and repayments, and development of loan application and review procedures;

(2) establishment of mechanisms to secure the public investment;

(3) development of methodologies to extend fund effectiveness with optional blending and leveraging with private sector institutional investment;

(4) assurance that the permissible investments adopted by rules are based on long-term benefit to the Montana economy and aimed at strengthening and stabilizing Montana's rail transportation network while maintaining and improving local community economic vitality; and

(5) procedural rules based on the attorney general's model rules.

HB 141, be concurred in. Report adopted.

JUDICIARY (Mazurek, Chairman): 2/14/85
SB 331, do pass. Report adopted.

LOCAL GOVERNMENT (Fuller, Chairman): 2/14/85
SB 130, introduced bill, be amended as follows:

1. Title, line 9.
Following: "7-11-228,"
Insert: "7-12-2105,"

2. Title, line 10.
Following: "7-13-208,"
Insert: "7-13-2205,"
Following: "7-13-2345,"
Insert: "7-13-2506,"

3. Title, line 12.
Following: "7-22-2212,"
Insert: "7-22-2406,"
Following: "7-33-2102,"
Insert: "7-34-2107,"

4. Page 15.
Following: line 11
Insert: "Section 16. Section 7-12-2105, MCA, is amended to read:

"7-12-2105. Notice of resolution of intention to create district — hearing. (1) Upon having passed the resolution of intention pursuant to 7-12-2103, the board of county commissioners must ~~give~~ publish notice of the passage of such resolution of intention as provided in [section 1].

(2) ~~The notice must be published for 10 consecutive days in a daily newspaper or in two issues of a weekly newspaper published nearest to the place where such improvement district is to be created.~~ The board shall also cause a copy of such notice to be posted in three public places within the boundaries of such special improvement district. A copy of such notice shall be mailed as provided in [section 2] to every person, firm, or corporation or the agent of such person, firm, or corporation owning real property within the proposed district listed in his name upon the last completed assessment roll for state, county, and school district taxes~~, at his last known place of residence, upon the same day such notice is first published or posted~~.

(3) Such notice must describe the general character of the improvement or improvements so proposed to be made or acquired by purchase, state the estimated cost thereof, and designate the time when and the place where the board will hear and pass upon all protests that may be made against the making or maintenance of such improvements or the creation of such district. The notice shall refer to the resolution on file in the office of the county clerk for the description of the boundaries. If the proposal is for the purchase of an existing improvement, the notice shall state the exact purchase price of such existing improvement.""
Renumber: subsequent sections

5. Page 17.
Following: line 14
Insert: "Section 20. Section 7-13-2205, MCA, is amended to read:

"7-13-2205. Notice of petition — hearing required. (1) The text of the petition referred to in 7-13-2204 shall be published ~~once each week for 2 consecutive weeks in a newspaper printed and published~~ as provided in [section 1] in every county in which said territory lies~~, together with a notice stating the time of the meeting at which same will be presented~~.

(2) ~~The first publication shall be at least 2 weeks before the time at which the petition is to be presented.~~ When contained upon more than one instrument, one copy only of such petition need be published. No more than five of the names attached to said petition need appear in such publication of said petition and notice, but the number of signers shall be stated.

~~(3) With such publication there shall be published a notice of the time of the meeting of the board when such petition will be considered and that all persons interested therein may then appear and be heard.~~""

Renumber: subsequent sections

6. Page 19.
Following: line 14
Insert: "Section 23. Section 7-13-2506, MCA, is amended to read:

"7-13-2506. Notice of petition and hearing. Upon receipt of a duly certified petition, the board of county commissioners shall cause the text of the petition to be published ~~once a week for at least 3 consecutive weeks in a newspaper of general circulation within the county where the petition is presented~~ as provided in [section 1]. If any portion of the proposed district lies in another county, the petition and notice shall likewise be published in that county. No more than five names attached to the petition shall appear in the publication and notice, but the number of signatures shall be stated. ~~With the publication of the petition, there shall be published a notice of the time of the meeting of the county commissioners when the petition will be considered, stating that all persons interested may appear and be heard.~~""

Renumber: subsequent sections

7. Page 24.
Following: line 5
Insert: "Section 31. Section 7-22-2406, MCA, is amended to read:

"7-22-2406. Notice of hearing on petition to create district. (1) ~~If addresses are known, the~~ The commissioners shall cause notice of the hearing provided for in 7-22-2403 to be mailed as provided in [section 2] to each nonresident owner and purchaser under contract for deed of taxable real and personal property within the proposed district.

(2) The commissioners shall cause notice to be posted in three public places within the district. Whenever the district is partly in one county and partly in another county, notice must be posted in each county but posting need not be in three places in each county.

(3) The commissioners shall also cause notice to be given of the time and place of the hearing and the methods of objection by publication ~~in a newspaper within or nearest to the district and,~~ as provided in [section 1], in each county if the district is partly in one county and partly in another county~~,~~. ~~in a newspaper in each county, if such newspaper exists. The publication must be for two weekly issues.~~

~~(4) Posting and first publication shall be at least 10 days before the hearing.~~""

Renumber: subsequent sections

8. Page 25.

Following: line 14
Insert: "Section 34. Section 7-34-2107, MCA, is amended to read:

"7-34-2107. Notice of hearing. ~~(1)~~ A notice of the hearing required by 7-34-2106 shall be published ~~in a newspaper having general circulation in the territory within the boundaries of the proposed hospital district once each week for at least 2 weeks, the last publication to be at least 2 weeks before the hearing. If there is no newspaper having general circulation within the boundaries of the proposed hospital district, the notice of hearing shall be posted in at least three public places within the boundaries of the proposed district for 2 weeks before the hearing.~~

~~(2) The notice shall state the time, date, place, and purpose of the hearing, describe the boundaries of the proposed hospital district, and state that any person residing in or owning property within the proposed hospital district may appear in support of or in opposition to the petition at such hearing~~ as provided in [section 1]."""
Renumber: subsequent sections

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Eck, Chairman): 2/13/85
SB 272, do pass. Report adopted.
SB 273, do pass. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman): 2/13/85
SB 282, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
SB 282

A statement of intent is required for this bill because it authorizes the department of commerce to adopt rules establishing uniform expiration dates for licenses for social workers, speech pathologists, and audiologists. It is the intent of the legislature that, in establishing a standard expiration date, the rules take into account any credit a person may have in what would have been his licensure period. The rules should also take into account the expiration dates of other licenses in order to spread the workload more evenly over the year.

SB 296, introduced bill, be amended as follows:

1. Page 2, line 16.
Following: "more than"
Strike: "three"
Insert: "two additional"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 2/13/85
SB 248, introduced bill, be amended as follows:

1. Title, line 5.
Strike: "EACH BOARD"
Insert: "OCCUPATIONAL AND LICENSING BOARDS"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

NATURAL RESOURCES (Eck, Chairman): 2/13/85
SB 264, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Conover, Crippen, Daniels, Farrell, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 40

Noes: Blaylock, Christiaens, Eck, Mohar, Regan.
Total 5

Excused: None.
Total 0

Absent or not voting: Fuller, Haffey, Story, Tveit, Mr. President.
Total 5

SPECIAL ORDERS OF THE DAY

U.S. Congressional Representative Ron Marlenee spoke to the members of the Senate.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 5.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 2/13/85

HB 300, introduced by Nathe, et al.

HB 328, introduced by Hannah

HB 444, introduced by J. Brown, et al.

HB 457, introduced by Nathe, Campbell

HB 460, introduced by Thomas, Simon

HB 465, introduced by Hansen, et al.

HB 505, introduced by Nathe

HB 523, introduced by Raney, et al.

HB 531, introduced by Kennerly, et al.

HB 625, introduced by Cohen

HB 639, introduced by Nathe

MOTIONS

Senator Mazurek moved that the Senate reconsider its action in adopting the adverse committee report on SB 250 and that it be printed and placed on second reading. Motion carried as follows:

Ayes: Blaylock, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Thayer, Towe, Weeding, Williams, Yellowtail, Mr. President.
Total 26

Noes: Aklestad, Anderson, Bengtson, Boylan, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Severson, Shaw, Smith, Stephens, Stimatz, Story, Tveit, Van Valkenburg.
Total 23

Excused: None.
Total 0

Absent or not voting: Brown.
Total 1

Senator Christiaens moved that the Senate reconsider its action in failing to pass SB 205 on second reading on the 33rd legislative day. Motion carried as follows:

Ayes: Bengtson, Blaylock, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Halligan, Harding, Himsl, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 31

Noes: Aklestad, Anderson, Boylan, Brown, Crippen, Goodover, Hager, Hammond, Hirsch, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Tveit, Williams.
Total 19

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Manning moved that SB 221 be taken from second reading and placed on third reading this legislative day. Motion failed as follows:

Ayes: Anderson, Boylan, Daniels, Haffey, Halligan, Hirsch, Jacobson, Lybeck, Lynch, Manning, Mohar, Stimatz, Story, Williams, Yellowtail, Mr. President.
Total 16

Noes: Aklestad, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, Lane, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Thayer, Towe, Tveit, Van Valkenburg, Weeding.
Total 34

Excused: None.
Total 0

Absent or not voting: None.
Total 0

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 409, introduced by Farrell. Referred to Committee on Labor and Employment Relations.

SB 410, introduced by Keating, Gage, O'Hara, Hanson, Kolstad, Hirsch, Severson, Farrell, Goodover, Shaw, Anderson, Aklestad, E. Smith, H. Hammond, Stephens, Nathe, Hayne, Thomas, Ramirez,

Switzer, Tveit, Harding, Crippen, Galt, Thayer, Lybeck, Himsl, Manning, B. Williams. Referred to Committee on Natural Resources.

SB 411, introduced by Towe, Waldron, Stephens, (By Request of the Department of Institutions). Referred to Committee on Judiciary.

SB 412, introduced by E. Smith, Nathe, Miles, Harding, Kolstad. Referred to Committee on Judiciary.

SB 413, introduced by Halligan. Referred to Committee on Business and Industry.

SB 414, introduced by Towe. Referred to Committee on Judiciary.

SB 415, introduced by Harding, Gage, Anderson, Rehberg, Neuman, Pinsoneault. Referred to Committee on Local Government.

SJR 21, introduced by B. Brown. Referred to Committee on Educational and Cultural Resources.

SJR 22, introduced by Towe, Yellowtail, (By Request of the Senate Public Health, Welfare and Safety Committee). Referred to Committee on Public Health, Welfare and Safety.

The following House bills were introduced, read first time, and referred to committees:

HB 300, introduced by Nathe, Bradley, E. Smith, Campbell, O'Hara, Bergene, Cobb, J.K. Moore, J. Brown, Hand, O'Connell, Peck. Referred to Committee on Judiciary.

HB 328, introduced by Hannah. Referred to Committee on Local Government.

HB 444, introduced by J. Brown, Bergene, Christiaens, (By Request of the Department of Revenue). Referred to Committee on Judiciary.

HB 457, introduced by Nathe, Campbell. Referred to Committee on Local Government.

HB 460, introduced by Thomas, Simon, (By Request of the Department of Commerce). Referred to Committee on Business and Industry.

HB 463, introduced by Marks, Pistoria, Hannah, Harp, O'Hara, J. Brown, Thomas, Brandewie, Keyser, Thoft, Ellerd, Rapp-Svrcek, Swift. Referred to Committee on State Administration.

HB 465, introduced by Hansen, D. Brown, Vincent, Kadas, Halligan, Harper, Hart, Lory, Eudaily. Referred to Committee on Public Health, Welfare and Safety.

HB 505, introduced by Nathe, Spaeth. Referred to Committee on Local Government.

HB 523, introduced by Raney, Ellison, Harper, Addy, Asay, Bachini, Rapp-Svrcek, Nathe, Bardanouve, Darko, Harbin, Quilici, Iverson, Keenan, Ream, Bradley, Cohen, Miles. Referred to Committee on Natural Resources.

HB 531, introduced by Kennerly, Zabrocki, Howe, (By Request of the Department of Justice, Division of Motor Vehicles). Referred to Committee on Highways and Transportation.

HB 625, introduced by Cohen. Referred to Committee on Taxation.

HB 639, introduced by Nathe, (By Request of the Department of Commerce). Referred to Committee on Judiciary.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 146 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Keating, Kolstad, Lane, Lybeck, Manning,

Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 41

Noes: Aklestad, Gage, Galt, Jacobson, Lynch, Regan, Severson, Stimatz.
Total 8

Excused: None.
Total 0

Absent or not voting: Hirsch.
Total 1

SB 194 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 40

Noes: Aklestad, Galt, Goodover, Hammond, Himsl, Keating, Severson, Shaw, Smith, Thayer.
Total 10

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 201 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 212 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Haffey, Hager, Halligan, Jacobson, Lane, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Stimatz, Story, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 31

Noes: Aklestad, Gage, Galt, Goodover, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lybeck, McCallum, Neuman, Shaw, Smith, Stephens, Thayer, Tveit, Weeding.

Total 19

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 3 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Boylan.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of Senator Tveit, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Lynch in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 223 - That SB 223, second reading copy, be amended as follows:

1. Page 3, line 6.
Following: "that"
Strike: "must"
Insert: "will be no higher than necessary to"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Story moved that SB 223 be further amended as follows:

1. Page 3, line 23.
Strike: "500"
Insert: "50"

Senator Neuman made a substitute motion that SB 223, second reading copy, be amended as follows:

1. Page 3, line 23.
Strike: "$500"
Insert: "$150"

Substitute motion failed as follows:

Ayes: Bengtson, Blaylock, Christiaens, Daniels, Eck, Fuller, Haffey, Hager, Halligan, Jacobson, Lane, Lynch, Mohar, Neuman, Pinsoneault, Regan, Towe, Van Valkenburg, Weeding.
Total 19

Noes: Aklestad, Anderson, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hammond, Harding, Himsl, Hirsch, Kolstad, Mazurek, McCallum, Severson, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Yellowtail.
Total 24

Excused: None.
Total 0

Absent or not voting: Conover, Keating, Lybeck, Manning, Shaw, Williams, Mr. President.
Total 7

Senator Story's amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Kolstad, Lane, Lynch, Mazurek, McCallum, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Yellowtail.
Total 32

Noes: Blaylock, Christiaens, Daniels, Eck, Fuller, Haffey, Jacobson, Mohar, Neuman, Pinsoneault, Regan, Towe.
Total 12

Excused: None.
Total 0

Absent or not voting: Conover, Keating, Lybeck, Manning, Williams, Mr. President.
Total 6

That SB 223, be further amended as follows:

1. Page 1, line 23.
Following: "The"
Strike: "parties to a transfer"
Insert: "transferor"

2. Page 1, line 24.

Following: "right or"
Strike: "their agents or representatives"
Insert: "his agent or representative"

3. Page 3, line 18.
Following: "The"
Strike: "parties to a transfer"
Insert: "transferor"

4. Page 3, line 19.
Following: "right"
Strike: "are"
Insert: "is"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Jacobson, Kolstad, Lane, Lybeck, Lynch, Neuman, Regan, Shaw, Stephens, Stimatz, Thayer, Van Valkenburg, Weeding.
Total 32

Noes: Daniels, Halligan, Hirsch, Keating, Mazurek, McCallum, Mohar, Pinsoneault, Towe, Tveit, Yellowtail.
Total 11

Excused: None.
Total 0

Absent or not voting: Conover, Manning, Severson, Smith, Story, Williams, Mr. President.
Total 7

That SB 223, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 27 - That HB 27 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 30 - That HB 30 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 5 - That HJR 5, second reading copy, be amended as follows:

1. Amendment No. 1.
Strike: Amendment No. 1 in its entirety

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HJR 5, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 184 - That SB 184 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Lane, Lybeck, Mazurek, McCallum, Neuman, Pinsoneault, Shaw, Smith, Stephens, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 38

Noes: Christiaens, Daniels, Eck, Jacobson, Lynch, Manning, Mohar, Regan.
Total 8

Excused: None.
Total 0

Absent or not voting: Kolstad, Severson, Stimatz, Thayer.
Total 4

SB 195 - That SB 195 do pass. Motion carried as follows:

Ayes: Anderson, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Galt, Haffey, Halligan, Harding, Himsl, Hirsch, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Pinsoneault, Regan, Severson, Stimatz, Thayer, Van Valkenburg, Mr. President.
Total 28

Noes: Aklestad, Bengtson, Blaylock, Daniels, Gage, Goodover, Hager, Keating, Kolstad, Mohar, Neuman, Smith, Stephens, Story, Towe, Tveit, Weeding, Yellowtail.
Total 18

Excused: None.
Total 0

Absent or not voting: Hammond, Jacobson, Shaw, Williams.
Total 4

SB 221 - That SB 221 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Haffey, Halligan, Hammond, Harding, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 40

Noes: Brown, Goodover, Hager, Keating, McCallum, Smith.
Total 6

Excused: None.
Total 0

Absent or not voting: Eck, Himsl, Severson, Shaw.
Total 4

SB 230 - That SB 230 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 232 - That SB 232, second reading copy, be amended as follows:

1. Title, line 6.
Following: "MERGE;"
Insert: "TO SPECIFY THE TAX TREATMENT FOR CONSOLIDATED OR MERGED BANKS WITHIN THE FIRST 2 TAX YEARS AFTER CONSOLIDATION OR MERGER;"
Following: "SECTIONS"
Insert: "15-31-114, 15-31-702,"
Following: "32-1-371"
Insert: ","

2. Page 1, line 11.
Following: "(1)"
Strike: "The"
Insert: "Except as provided in subsections (3), (5), and (6), the"

3. Page 1, line 18.
Following: "(2)"
Strike: "Any"
Insert: "Except as provided in subsections (3), any"

4. Page 1, line 19.
Following: "board"
Strike: "in the case of state banks"

5. Page 2.
Following: line 5
Insert: "(3) (a) Before merging with another bank, a bank interested in being purchased shall file a notice of intent to sell with the state banking board. Within 60 days of this filing, any other bank interested in purchasing the bank that has filed a notice of intent to sell shall file an expression of interest with the state banking board naming the bank to be purchased.

(b) Commercial banks that engage in substantially all the activities listed in 32-1-105 and that are owned by a Montana corporation, Montana partnership, or citizens of Montana shall have a priority right to purchase a bank that has filed a notice of intent to sell

under subsection (a). A commercial bank doing business in Montana, as defined in 32-1-105, owned by an out-of-state holding company may consolidate or merge only if no Montana-owned bank has filed an expression of interest under subsection (a); or, if a filing has been made, then the bank owned by an out-of-state holding company may not lawfully enter into a purchase agreement or negotiations for 150 days from the date of the filing of the notice of intent to sell. The price and terms negotiated by the out-of-state holding company shall not be less than the price and terms offered or negotiated with any Montana-owned bank."

Renumber: subsequent subsections

6. Page 3.
Following: line 8
Insert: "(6) In the case of a consolidation or merger of banks under this section, each of the consolidated or merged banks shall maintain separate accounting records on a basis consistent with their records prior to the consolidation or merger. Any net operating loss incurred within the first 2 tax years after consolidation or merger cannot be used to offset profits in the same period by another of the consolidated or merged banks. Unused net operating losses incurred during that period would be available to reduce taxable income of that consolidated or merged bank after the 2-year tax period. During the period ending after the first 2 tax periods, any current net operating losses incurred by one consolidated or merged bank would be available to offset profits by any other consolidated or merged bank. During the period ending with the first 2 tax periods, corporation license taxes would be distributed to the counties on the basis of the separate incomes of the merged banks in each county. After the first 2 tax periods, the taxes would be allocated to the counties on the basis of the deposits in each county."

7. Page 5, line 12.
Following: "merger"
Insert: "only"
Following: "bank"
Insert: "meeting the criteria of 32-1-105"

8. Page 5, line 15.
Strike: "32-1-371(4)"
Insert: "32-1-371(3) and (5)"

9. Page 5.
Following: line 15
Insert: "Section 3. Section 15-31-114, MCA, is amended to read:

"15-31-114. Deductions allowed in computing income. In computing the net income, the following deductions shall be allowed from the gross income received by such corporation within the year from all sources:

(1) All the ordinary and necessary expenses paid or incurred during the taxable year in the maintenance and operation of its business and properties, including reasonable allowance for salaries for personal services actually rendered, subject to the limitation hereinafter contained, rentals or other payments required to be made as a condition to the continued use or possession of property to which the corporation has not taken or is not taking title or in which it has no equity. No deduction shall be allowed for salaries

paid upon which the recipient thereof has not paid Montana state income tax; provided, however, that where domestic corporations are taxed on income derived from without the state, salaries of officers paid in connection with securing such income shall be deductible.

(2) (a) ~~All~~ Except as provided in 37-1-371, all losses actually sustained and charged off within the year and not compensated by insurance or otherwise, including a reasonable allowance for the wear and tear and obsolescence of property used in the trade or business, such allowance to be determined according to the provisions of section 167 of the Internal Revenue Code in effect with respect to the taxable year. All elections for depreciation shall be the same as the elections made for federal income tax purposes. No deduction shall be allowed for any amount paid out for any buildings, permanent improvements, or betterments made to increase the value of any property or estate, and no deduction shall be made for any amount of expense of restoring property or making good the exhaustion thereof for which an allowance is or has been made.

(b) (i) There shall be allowed as a deduction for the taxable period a net operating loss deduction determined according to the provisions of this subsection. The net operating loss deduction is the aggregate of net operating loss carryovers to such taxable period plus the net operating loss carrybacks to such taxable period. The term "net operating loss" means the excess of the deductions allowed by this section, 15-31-114, over the gross income, with the modifications specified in (ii) of this subsection. If for any taxable period beginning after December 31, 1970, a net operating loss is sustained, such loss shall be a net operating loss carryback to each of the three taxable periods preceding the taxable period of such loss and shall be a net operating loss carryover to each of the five taxable periods following the taxable period of such loss. A net operating loss for any taxable period ending after December 31, 1975, in addition to being a net operating loss carryback to each of the three preceding taxable periods, shall be a net operating loss carryover to each of the seven taxable periods following the taxable period of such loss. The portion of such loss which shall be carried to each of the other taxable years shall be the excess, if any, of the amount of such loss over the sum of the net income for each of the prior taxable periods to which such loss was carried. For purposes of the preceding sentence, the net income for such prior taxable period shall be computed with the modifications specified in (ii)(B) of this subsection and by determining the amount of the net operating loss deduction without regard to the net operating loss for the loss period or any taxable period thereafter, and the net income so computed shall not be considered to be less than zero.

(ii) The modifications referred to in (i) of this subsection shall be as follows:

(A) No net operating loss deduction shall be allowed.

(B) The deduction for depletion shall not exceed the amount which would be allowable if computed under the cost method.

(C) Any net operating loss carried over to any taxable years beginning after December 31, 1978, must be calculated under the provisions of this section effective for the taxable year for which the return claiming the net operating loss carryover is filed.

(iii) A net operating loss deduction shall be allowed only with regard to losses attributable to the business carried on within the state of Montana.

(iv) In the case of a merger of corporations, the surviving corporation shall not be allowed a net operating loss deduction for net operating losses sustained by the merged corporations prior to the date of merger. In the case of a consolidation of corporations, the new corporate entity shall not be allowed a deduction for net operating losses sustained by the consolidated corporations prior to the date of consolidation.

(v) Notwithstanding the provisions of 15-31-531, interest shall not be paid with respect to a refund of tax resulting from a net operating loss carryback or carryover.

(vi) The net operating loss deduction shall not be allowed with respect to taxable periods which ended on or before December 31, 1970, but shall be allowed only with respect to taxable periods beginning on or after January 1, 1971.

(3) In the case of mines, other natural deposits, oil and gas wells, and timber, a reasonable allowance for depletion and for depreciation of improvements; such reasonable allowance to be determined according to the provisions of the Internal Revenue Code in effect for the taxable year. All elections made under the Internal Revenue Code with respect to capitalizing or expensing exploration and development costs and intangible drilling expenses for corporation license tax purposes shall be the same as the elections made for federal income tax purposes.

(4) The amount of interest paid within the year on its indebtedness incurred in the operation of the business from which its income is derived; but no interest shall be allowed as a deduction if paid on an indebtedness created for the purchase, maintenance, or improvement of property or for the conduct of business unless the income from such property or business would be taxable under this part.

(5) (a) Taxes paid within the year, except the following:

(i) Taxes imposed by this part.

(ii) Taxes assessed against local benefits of a kind tending to increase the value of the property assessed.

(iii) Taxes on or according to or measured by net income or profits imposed by authority of the government of the United States.

(iv) Taxes imposed by any other state or country upon or measured by net income or profits.

(b) Taxes deductible under this part shall be construed to include taxes imposed by any county, school district, or municipality of this state.

(6) Light vehicle license fees, as provided by 61-3-532, paid within the year.

(7) That portion of an energy-related investment allowed as a deduction under 15-32-103.

(8) (a) Except as provided in subsection (b), charitable contributions and gifts that qualify for deduction under section 170 of the Internal Revenue Code, as amended.

(b) The public service commission shall not allow in the rate base of a regulated corporation the inclusion of contributions made under this subsection.

(9) In lieu of the deduction allowed under subsection (8), the taxpayer may deduct the fair market value, not to exceed 30% of the taxpayer's net income, of a computer or other sophisticated technological equipment or apparatus intended for use with the computer donated to an elementary, secondary, or accredited postsecondary school located in Montana if:

(a) the contribution is made no later than 5 years after the manufacture of the donated property is substantially completed;

(b) the property is not transferred by the donee in exchange for money, other property, or services; and

(c) the taxpayer receives a written statement from the donee in which the donee agrees to accept the property and representing that the use and disposition of the property will be in accordance with the provisions of (b) of this subsection (9)."

Section 4. Section 15-31-702, MCA, is amended to read:

"15-31-702. Distribution of corporation license taxes collected from banks or savings and loan associations. (1) ~~All~~ Except as provided in 37-1-371, all corporation license taxes collected from banks and savings and loan associations shall be distributed in the following manner:

(a) 20% must be remitted to the state treasurer to be allocated as provided in 15-1-501(2); and

(b) 80% must be allocated to the various taxing jurisdictions within the county in which the bank or savings and loan association is located.

(2) The corporation license taxes distributed under subsection (1)(b) shall be allocated to each taxing jurisdiction in the proportion that its mill levy for that fiscal year bears to the total mill levy of the taxing authorities of the district in which the bank or savings and loan association is located.

(3) "Taxing jurisdictions" means, for the purposes of this section, all taxing authorities within a county permitted under state law to levy mills against the taxable value of property in the taxing district in which the bank or savings and loan association is located.

(4) If a return filed by a bank or savings and loan association involves branches or offices in more than one taxing jurisdiction, the department of revenue shall provide a method by rule for equitable distribution among those taxing jurisdictions.""

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Daniels, Mazurek, Shaw.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That SB 232 be further amended as follows:

1. Page 3.
Following: line 8
Insert: "(5) Commercial banks may not merge, pursuant to this section, if the combination of their percentage of total resources as compared with the total resources for banks in the state of Montana is higher than 15%, as computed by the department of commerce.

Amendment failed as follows:

Ayes: Aklestad, Boylan, Brown, Conover, Daniels, Farrell, Gage, Halligan, Harding, Lane, Lybeck, McCallum, Severson, Shaw, Smith, Stimatz, Story, Towe, Tveit, Weeding, Williams.
Total 21

Noes: Anderson, Bengtson, Blaylock, Christiaens, Crippen, Eck, Fuller, Galt, Goodover, Haffey, Hager, Hammond, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stephens, Thayer, Van Valkenburg, Yellowtail, Mr. President.
Total 29

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Gage made a substitute motion that SB 232, as amended, be indefinitely postponed. Substitute motion failed as follows:

Ayes: Aklestad, Boylan, Brown, Conover, Daniels, Gage, Goodover, Harding, Hirsch, Lane, Lybeck, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 25

Noes: Anderson, Bengtson, Blaylock, Christiaens, Crippen, Eck, Farrell, Fuller, Galt, Haffey, Hager, Halligan, Hammond, Himsl, Jacobson, Keating, Kolstad, Lynch, Manning, Mazurek, McCallum, Regan, Stephens, Stimatz, Thayer.
Total 25

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That SB 232, as amended, do pass. Motion failed as follows:

Ayes: Anderson, Bengtson, Blaylock, Christiaens, Crippen, Eck, Farrell, Fuller, Galt, Haffey, Hager, Hammond, Himsl, Jacobson, Keating, Kolstad,

Lynch, Manning, Mazurek, McCallum, Pinsoneault, Regan, Stephens, Stimatz, Thayer.
Total 25

Noes: Aklestad, Boylan, Brown, Conover, Daniels, Gage, Goodover, Halligan, Harding, Hirsch, Lane, Lybeck, Mohar, Neuman, Severson, Shaw, Smith, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 25

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Lynch moved the adoption of the committee report. Report adopted.

At the request of Senator Tveit, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Tveit presented to the Senate a simple resolution in accordance with Joint Rule 6-1(1). Senator Tveit read the simple resolution entitled: "A resolution of the Senate of the State of Montana to name the new Department of Natural Resources and Conservation building the "Dave Manning Building".

Senator Brown moved that the following names be added to the list of sponsors of SJR 21: Winslow, Peck, Bradley, Harrington, Vincent, Howe, Kennerly, Bergene, Schultz, Brandewie, Manuel, Cody, Nisbet, Darko, Koehnke, Connelly, Schye, Poff, Cohen, Harding, Galt, Anderson, Stephens, Thayer, Lybeck, Mohar, Shaw, Tveit, Aklestad, B. Williams, E. Smith, Yellowtail, Gage, Eck, Lynch, H. Hammond, Regan. Motion carried unanimously.

Senator Van Valkenburg moved that the Senate adjourn until 2:30 p.m., February 15, 1985.

Motion carried.

Senate adjourned at 5:40 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

THIRTY-FIFTH LEGISLATIVE DAY

Helena, Montana
February 15, 1985

Senate Chambers
State Capitol

Senate convened at 2:30 p.m., President Norman presiding. Invocation by the Chaplain, Pastor Monsen. Pledge of Allegiance to the Flag.

Roll call. All members present except Neuman, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the thirty-third legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 2/15/85
Correctly printed and placed on the members' desks: SB 109, SB 130, SB 248, SB 250, SB 270, SB 272, SB 273, SB 282, SB 296, SB 301, SB 315, SB 331, SB 350, SB 399.
Correctly engrossed: SB 223.
Considered correctly engrossed: SB 184, SB 195, SB 221, SB 230.
Delivered to the Governor for his approval at 9:30 a.m., 2/15/85: SB 71.

Report adopted.

FISH AND GAME (Conover, Chairman): 2/14/85
SJR 18, introduced bill, be amended as follows:

1. Page 2, line 13.
Strike: "approved"
Insert: "sponsored"

And, as amended, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stimatz, Chairman): 2/14/85
SB 108, introduced bill, be amended as follows:

1. Title, line 6.
Following: "THAN"
Strike: "71"
Insert: "65"

2. Title, line 8.
Following: "61-8-303,"
Insert: "61-8-312,"

3. Title, line 10.
Following: "61-8-307"
Strike: "AND 61-8-312"

4. Page 3, line 9.
Following: "than"
Strike: "71"
Insert: "65"

5. Page 3, line 14.
Following: "(b)"
Strike: "71"
Insert: "65"

6. Page 3, line 15.

Following: "61-8-711"
Insert: "and bond for this offense shall be $25"

7. Page 4.
Following: line 7
Insert: "Section 4. Section 61-8-312, MCA, is amended to read:

"61-8-312. Special speed limitations on ~~trucks, truck tractors,~~ motor-driven cycles~~,~~ and vehicles towing housetrailers. (1) ~~No person shall operate any truck or truck tractor the gross weight of which exceeds 8,000 pounds at a speed greater than 65 miles per hour on those completed sections of interstate and four-lane divided highways and 60 miles per hour on those completed sections of primary and secondary highways. However, the truck nighttime speed limit shall not exceed that of automobiles as stated in 61-8-303.~~

~~(2)~~ No person shall operate any motor-driven cycle at any time mentioned in 61-9-201 at a speed greater than 35 miles per hour unless such motor-driven cycle is equipped with a headlamp or lamps which are adequate to reveal a person or vehicle at a distance of 300 feet ahead.

~~(3)~~(2) No person shall operate a vehicle which is towing a housetrailer at a speed greater than a maximum of 50 miles per hour.""
Renumber: subsequent section

8. Page 4, line 9.
Following: "61-8-307"
Strike: "and 61-8-312"

And, as amended, do pass. Report adopted.

SB 327, introduced bill, be amended as follows:

1. Title, line 7.
Following: "IS"
Strike: remainder of line 7
Insert: "ACCOUNTABLE"

2. Page 3, line 15.
Following: "subsection (1)"
Insert: "and the identity of the driver of said vehicle cannot be established"

3. Page 3, line 16.
Following: "registered is"
Strike: remainder of line 16 through "violation" on line 17
Insert: "accountable for any violation of this section that is caused by his vehicle"

And, as amended, do pass. Report adopted.

SB 344, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
SB 344

This bill requires a statement of intent because sections 2 through 4 provide rulemaking authority to the department of agriculture for safety measures in handling anhydrous ammonia.

It is the intent of the legislature that, although the department of agriculture is the agency responsible for administering the anhydrous ammonia

safety program, it shall coordinate closely with other appropriate agencies in adopting and implementing rules for safety standards. Rules adopted must be only those which are reasonably necessary for the protection and safety of the public and particularly those persons handling and using anhydrous ammonia.

SB 373, do pass. Report adopted.

JUDICIARY (Mazurek, Chairman): 2/15/85
SB 292, do pass. Report adopted.
SJR 19, do pass. Report adopted.

LOCAL GOVERNMENT (Fuller, Chairman): 2/14/85
SB 204, introduced bill, be amended as follows:

1. Title, line 8.
Following: "FACILITIES"
Strike: "MUST"
Insert: "MAY"

2. Page 1.
Following: line 16
Strike: line 17 in its entirety through "the" in line 18
Insert: "The"

3. Page 1, line 25.
Following: "parks"
Insert: ", cultural facilities,"

4. Page 2, line 20.
Following: "commissioners"
Strike: "may"
Insert: "shall"

5. Page 2, line 21.
Following: "tax"
Insert: "for the 2 subsequent fiscal years,"

6. Page 3, line 11.
Following: "civic center,"
Insert: "cultural facility,"

And, as amended, do pass. Report adopted.

SB 244, do pass. Report adopted.
SB 265, do pass. Report adopted.
SB 278, do pass. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 2/13/85
SB 171, introduced bill, be amended as follows:

1. Title, line 9.
Strike: "SECTION"
Insert: "SECTIONS"
Following: "37-1-121"
Insert: "AND 37-1-131"

2. Page 2.
Following: line 11
Insert: "Section 2. Section 37-1-131, MCA, is amended to read:

"37-1-131. Duties of boards. Each board within the department shall:

(1) set and enforce standards and rules governing the licensing, certification, registration, and conduct of the members of the particular profession or occupation within its jurisdiction;

(2) sit in judgment in hearings for the suspension, revocation, or denial of a license of an actual or potential member of the particular profession or occupation within its jurisdiction. The hearings shall be conducted by ~~the~~ legal counsel ~~appointed~~ when required under 37-1-121(1).

(3) pay to the department its pro rata share of the assessed costs of the department under 37-1-101(6).""

Renumber: subsequent section

And, as amended, do pass. Report adopted.

SB 247, introduced bill, be amended as follows:

1. Title, line 8.
Following: "GAME WARDENS',"
Insert: "AND"
Following: "POLICE OFFICERS'"
Strike: ","

2. Title.
Following: line 8
Strike: "AND FIREFIGHTERS' UNIFIED"

3. Title, line 16.
Following: "19-9-601,"
Insert: "AND"

4. Title.
Following: line 16
Strike: "19-13-601, and 19-13-1003,"

5. Page 27, line 2 through line 6, page 29.
Strike: sections 18 and 19 in their entirety
Renumber: subsequent sections

And, as amended, do pass. Report adopted.

SB 259, do pass. Report adopted.
SB 263, introduced bill, be amended as follows:

1. Page 1, line 12.
Following: "provided by"
Strike: "law"
Insert: "statute or rule"

2. Page 1, line 16.
Following: "obtained"
Insert: "by passing a qualifying examination and paying the appropriate fee"

And, as amended, do pass. Report adopted.

SB 276, do pass. Report adopted.
SB 300, do pass. Report adopted.

TAXATION (Towe, Chairman): 2/15/85
SJR 14, introduced bill, be amended as follows:

1. Title, lines 5 and 6.

Following: "MONTANA" on line 5
Strike: "REQUESTING AN INTERIM STUDY"
Insert: "ASSIGNING THE REVENUE OVERSIGHT COMMITTEE"

2. Page 2, line 1.
Following: "That"
Strike: "an appropriate interim"
Insert: "the revenue oversight"

And, as amended, do pass. Report adopted.

HB 154, be concurred in. Report adopted.
HB 176, be concurred in. Report adopted.

Adverse Committee Reports

JUDICIARY (Mazurek, Chairman): 2/15/85
SB 351, do not pass. Adverse committee report adopted as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Goodover, Haffey, Hager, Halligan, Hammond, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 39

Noes: Aklestad, Crippen, Gage, Galt, Harding, Keating, Mohar, Shaw.
Total 8

Excused: Neuman.
Total 1

Absent or not voting: Kolstad, Tveit.
Total 2

LOCAL GOVERNMENT (Fuller, Chairman): 2/14/85
SB 62, introduced bill, be amended as follows:

1. Title, line 5.
Following: "POLICE OFFICERS"
Insert: "FORMERLY"

2. Title, line 7.
Following: "SERVICE;"
Insert: "REQUIRING ALL CITIES NOT HAVING A LOCALLY ADMINISTERED POLICE RETIREMENT FUND TO PARTICIPATE IN THE MUNICIPAL POLICE OFFICERS' RETIREMENT SYSTEM;"

3. Page 1.
Following: line 10
Strike: section 1 in its entirety

4. Page 2, line 13.
Strike: section 2 in its entirety
Insert: "Section 1. Section 19-9-104, MCA, is amended to read:

"19-9-104. Definitions. Unless the context requires otherwise, the following definitions apply in this chapter:

(1) "Administrator" means the public employees' retirement division of the department of administration.

(2) "Base salary" means the sum of the monthly compensations for each month in a given calendar year.

(3) "Board" means the retirement board described in 2-15-1009.

(4) "Credited service" means the aggregate of a member's prior service and membership service.

(5) "Dependent child" means a child of a deceased member:

(a) who is unmarried and under 18 years of age; or

(b) who is unmarried, under 24 years of age, and attending an accredited postsecondary educational institution as a full-time student in anticipation of receiving a certificate or degree.

(6) "Employer" means any city which participated in a prior plan or which elects or is required to join this plan under 19-9-107.

(7) "Employer annuity" means monthly payments for life derived from employer and state contributions.

(8) "Final average salary" means the monthly compensation of a member, averaged over the last 36 months of his active service or, in the event he has not been a member that long, over the period of his membership.

(9) "Fund" means the pension trust fund in the treasury system designated for the use of the plan.

(10) "Mandatory retirement date" means the first day of the month coinciding with or immediately following, if none coincides, the date on which a member attains age 65.

(11) "Member" means a person who is employed by an employer as a police officer or who is entitled to a retirement allowance by virtue of his service to an employer as a police officer.

(12) "Member contributions" means the total of the deductions from the compensation of a member, either made during a period of active membership hereunder or made under a prior plan and transferred to this plan, standing to his credit, together with the interest thereon.

(13) "Member's annuity" means monthly payments for life derived from member contributions.

(14) "Membership service" means a period of employment with an employer occurring after June 30, 1977, during which the withholdings required by this chapter have been made from a member's monthly compensation and credited to his member contributions account. Pro rata credit shall be granted for employment on a part-time basis or for employment over a period of less than a complete fiscal year.

(15) "Minimum retirement date" or "normal retirement date" means the first day of the month coinciding with or immediately following, if none coincides, the date on which a member becomes both age 50 or older and completes 20 or more years of credited service.

(16) "Monthly compensation" means the wage, excluding overtime, holiday payments, shift differential payments, compensation time payments, and payments in lieu of sick leave and annual leave, a member receives as an active police officer.

(17) Any reference to "municipality", "city", or "town" includes those jurisdictions which, prior to the effective date of a county-municipal consolidation, were incorporated municipalities, subsequent districts created for urban law enforcement services, or the entire county included in the county-municipal consolidation.

(18) "Plan" means the municipal police officers' retirement system created by this chapter.

(19) "Police officer" means a law enforcement officer employed by an employer.

(20) "Prior plan" means the local police reserve or retirement fund of a city which elects to join the plan under 19-9-107 or the statewide police reserve fund administered by the department of administration in accordance with Chapter 335, Laws of 1974.

(21) "Prior service" means a period of employment as a police officer for which credit was granted to a member under a prior plan and has been transferred to this plan.

(22) "Retirement allowance" means the employer annuity plus the member's annuity.

(23) "Retirement date" means the date on which the first payment of the retirement, disability, or survivor benefits of a member or a beneficiary is payable.

(24) "Surviving spouse" means the spouse married to a member at the time of the member's death.

(25) "Totally and permanently disabled" means that the board, upon certification by a licensed and practicing physician, has determined that a member's disability is of such a nature as to permanently impair his ability to discharge his normal duties as a police officer."

Section 2. Section 19-9-105, MCA, is amended to read:

"19-9-105. Transfer of assets and liabilities ~~from prior plans~~. (1) All funds and obligations constituting the assets and liabilities of prior plans, regardless of their form or who holds them, shall be transferred to the account provided for in 19-9-501. The board shall ascertain the amounts to be apportioned to each account on April 19, 1977, and the state treasurer shall transfer such amounts to the appropriate accounts on July 1, 1977.

(2) When a city elects to join the plan under 19-9-107(1), the trustees or other administrative head of the local retirement fund as of the effective date of the election shall certify the proportion, if any, of the retirement fund that represents the accumulated contributions of the active members and the relative shares of the members as of that date. Such shares must be charged to the employer and credited to the respective individual accounts of the members in the plan and administered as if the contributions had been made during membership in the plan. Any excess of employer credits over charges under this section will be offset, with interest, against future required employer contributions, for a period of 10 years or less as determined by the administrator.

(3) When a city is required to join the plan under 19-9-107(2), the board shall transfer to the account provided for in 19-9-501 all accumulated deductions paid into the public employees' retirement system coincident with such accumulated deductions by the state of

Montana or any city. Any excess of employer charges over credits under this subsection is payable by the state auditor from the premium tax on motor vehicle property and casualty insurance policies."

Section 3. Section 19-9-107, MCA, is amended to read:

"19-9-107. ~~Election to join~~ Participation in plan — ~~transfer of assets~~. (1) Cities operating a police retirement fund under Title 19, chapter 10 ~~other than those participating in the statewide police reserve fund administered by the department of administration in accordance with Chapter 335, Laws of 1974, as of June 30, 1977,~~ may elect to join the plan by passing an ordinance stating the election and the consent of the city to be bound by the provisions of this chapter. Upon the enactment of such an ordinance, the provisions of this chapter become applicable to the city. Any city enacting such an ordinance shall send a certified copy thereof to the board and shall, as soon as possible thereafter, deposit with the board all cash and securities held by it in its local police reserve or retirement fund. The value of the securities shall be determined by the board.

~~(2) The trustees or other administrative head of the local system as of the effective date of the election shall certify the proportion, if any, of the funds of the system that represents the accumulated contributions of the active members and the relative shares of the members as of that date. Such shares shall be charged to the employer and credited to the respective individual accounts of the members in the plan and administered as if the contributions had been made during membership in the plan. Any excess of employer credits over charges under this section will be offset, with interest, against future required employer contributions for a period determined by the administrator. Any excess of employer charges over credits under this section are payable by the employer, with interest, for a period of 10 years or less as determined by the administrator.~~

(2) A city other than a first- or second-class city that has not established a local police retirement fund under Title 19, chapter 10, by June 30, 1985, must join and participate in the plan commencing no later than January 1, 1986.

(3) A police officer hired before July 1, 1985, and employed on July 1, 1985, by a city required to join the plan under subsection (2) may retain membership in the public employees' retirement system by filing a written election of intent with the board before January 1, 1986. Police officers hired on or after July 1, 1985, are required to join the plan.""

Renumber: subsequent sections

And, as amended, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Mohar.
Total 1

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

STATE ADMINISTRATION (Haffey, Chairman): 2/14/85
SB 207, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: Shaw.
Total 1

SB 213, introduced bill, be amended as follows: 2/13/85

1. Title, line 7.
Following: "SECTIONS"
Insert: "2-2-112,"
Following: "2-2-125,"
Strike: "AND"

2. Title, line 8.
Following: "2-2-131,"
Insert: "AND 2-2-132,"

3. Page 1.
Following: line 10
Insert: "Section 1. Section 2-2-112, MCA, is amended to read:

"2-2-112. Ethical principles for legislators. (1) The principles in this section are intended only as guides to legislator conduct and do not constitute violations as such of the public trust of legislative office.

(2) When a legislator must take official action on a legislative matter as to which he has a conflict created by a personal or financial interest which would be directly and substantially affected by the legislative matter, he ~~should consider disclosing or eliminating~~ shall disclose or eliminate the interest creating the conflict or ~~abstaining~~ abstain from the official action. In making his decision, he ~~should further~~ shall consider:

(a) whether the conflict impedes his independence of judgment;

(b) the effect of his participation on public confidence in the integrity of the legislature; and

(c) whether his participation is likely to have any significant effect on the disposition of the matter.

(3) A conflict situation does not arise from legislation affecting the entire membership of a class.

(4) If a legislator ~~elects to disclose~~ discloses the interest creating the conflict, he shall do so ~~as provided in the joint rules of the legislature~~ in writing to the leadership of the house in which he serves. The house leadership shall make all disclosure statements available to the secretary of state, who shall keep them pursuant to 2-2-132.""

Renumber: subsequent sections

4. Page 4, lines 3 through 5.
Following: "nature"
Strike: remainder of line 3 through "serves" on line 5

5. Page 4.
Following: line 5
Insert: "Section 5. Section 2-2-132, MCA, is amended to read:

"2-2-132. Powers of the secretary of state. The secretary of state may:

(1) issue advisory opinions with such deletions as are necessary to protect the identity of the requesting party or the party about whom the opinion is written;

(2) keep and permit reasonable public access to ~~voluntary~~ disclosure statements;

(3) make rules for the conduct of his affairs under this part.""

Renumber: subsequent section

And, as amended, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Hager, Halligan, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, Pinsoneault, Shaw, Smith, Stephens, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 38

Noes: Eck, Haffey, Jacobson, Lynch, Mohar, Regan, Stimatz, Towe.
Total 8

Excused: Neuman.
Total 1

Absent or not voting: Hammond, McCallum, Severson.
Total 3

SB 262, do not pass. Adverse committee report adopted as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 40

Noes: Aklestad, Eck, Gage, Keating, Kolstad, Shaw, Smith, Tveit.
Total 8

Excused: Neuman.
Total 1

Absent or not voting: McCallum.
Total 1

SB 304, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Blaylock, Brown, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Bengtson, Christiaens, Halligan, Mohar.
Total 4

Excused: Neuman.
Total 1

Absent or not voting: Boylan, McCallum.
Total 2

SPECIAL ORDERS OF THE DAY

Ed Noonan of Helena, Montana, gave a poetry reading to the members of the Senate.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 5.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 2/14/85

HB 236, introduced by Pavlovich, et al.

HB 443, introduced by J. Brown, et al.

HB 596, introduced by Donaldson

HB 600, introduced by Mercer, et al.

HB 612, introduced by Addy, et al.

HB 644, introduced by Nathe

HB 681, introduced by J. Brown, Bradley

HJR 18, introduced by Lory, et al.

MOTIONS

Senator Mazurek moved that SB 313 be taken from the Committee on Judiciary and that it be printed and placed on second reading. Motion carried unanimously.

Senator Jacobson moved that SB 358 be taken from the Committee on Education and Cultural Resources and that it be rereferred to the Committee on State Administration. Motion carried unanimously.

Senator Van Valkenburg moved that SR 4 be referred to the Committee on Rules. Motion carried unanimously.

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 416, introduced by Thayer, Fuller. Referred to Committee on Local Government.

SB 417, introduced by Hager, B. Brown, Yellowtail, Regan, Eck, Christiaens. Referred to Committee on Judiciary.

SB 418, introduced by Boylan, Galt, Story, Lane. Referred to Committee on Judiciary.

SB 419, introduced by Conover, Halligan, Lane, Yellowtail, Mazurek, Hirsch, Manning, Stimatz, Quilici, Connelly. Referred to Committee on Highways and Transportation.

SB 420, introduced by Van Valkenburg. Referred to Committee on State Administration.

SB 421, introduced by Story. Referred to Committee on Judiciary.

SB 422, introduced by Van Valkenburg. Referred to Committee on State Administration.

SB 423, introduced by Halligan, Mohar, Peck, Raney, Farrell. Referred to Committee on Business and Industry.

SB 424, introduced by B. Williams, Yellowtail, Grady. Referred to Committee on Judiciary.

SB 425, introduced by Neuman, Towe. Referred to Committee on Taxation.

SB 426, introduced by Neuman, Towe. Referred to Committee on Taxation.

SJR 23, introduced by Haffey, Lynch, Menahan, Keenan, Quilici, Manning, Daniels, Yellowtail, B. Brown, Regan, Hager, McCallum, Jacobson, Marks, Stimatz. Referred to Committee on State Administration.

The following House bills were introduced, read first time, and referred to committees:

HB 236, introduced by Pavlovich, Driscoll, Harp, Zabrocki, J.K. Moore, Tveit, Galt, Boylan, Haffey, Daniels, Stimatz, Jacobson, Lynch, Nisbet, Keenan, D. Brown, Harrington, Krueger, Manning, Cohen, E. Smith, O'Connell, Gould, Menahan, Quilici, Holliday, Koehnke, Bradley, Marks. Referred to Committee on Business and Industry.

HB 443, introduced by J. Brown, Bergene, Christiaens, (By Request of the Department of Revenue). Referred to Committee on Judiciary.

HB 596, introduced by Donaldson. Referred to Committee on Taxation.

HB 600, introduced by Mercer, Swift, Thomas, Nathe, O'Hara, Hanson, Glaser, Ernst, Jenkins, Schultz, Harper, Hammond, Harding, Pinsoneault. Referred to Committee on Judiciary.

HB 612, introduced by Addy, Fuller, Christiaens. Referred to Committee on Local Government.

HB 644, introduced by Nathe. Referred to Committee on Judiciary.

HB 681, introduced by J. Brown, Bradley. Referred to Committee on Judiciary.

HJR 18, introduced by Lory, Ream, Waldron, Hansen, Kadas, Fritz, Eudaily, (By Request of the University of Montana). Referred to Committee on Education and Cultural Resources.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 152 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Hager, Halligan, Hammond,

Harding, Himsl, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 37

Noes: Christiaens, Daniels, Goodover, Haffey, Hirsch, Jacobson, Lynch, McCallum, Mohar, Neuman, Regan, Story, Van Valkenburg.
Total 13

Paired: Crippen, Aye; Neuman, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 169 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: Lybeck.
Total 1

SB 176 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, McCallum, Mohar, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Weeding, Mr. President.
Total 38

Noes: Eck, Fuller, Haffey, Lynch, Manning, Mazurek, Neuman, Regan, Story, Van Valkenburg, Williams, Yellowtail.
Total 12

Paired: Crippen, Aye; Neuman, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 186 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek,

McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 193 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Stephens, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Hammond, Shaw, Smith, Story, Tveit.
Total 5

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 215 passed as follows:

Ayes: Aklestad, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Haffey, Hager, Halligan, Harding, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Smith, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 38

Noes: Anderson, Boylan, Farrell, Galt, Goodover, Hammond, Himsl, Hirsch, McCallum, Severson, Shaw, Tveit.
Total 12

Paired: Neuman, Aye; Goodover, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 225 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 228 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 46

Noes: Regan, Stimatz, Yellowtail.
Total 3

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 229 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 268 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.

Total 1

Absent or not voting: None.
Total 0

HB 81 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Regan, Severson, Smith.
Total 3

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

HB 350 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

At the request of Senator Van Valkenburg, and without objection, Senator Van Valkenburg's vote on SB 152 be recorded as no.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Hager in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 232 - That SB 232, second reading copy, be amended as follows:

1. Title, line 6.
Following: "MERGE;"

Insert: "TO SPECIFY THE TAX TREATMENT FOR CONSOLIDATED OR MERGED BANKS WITHIN THE FIRST 2 TAX YEARS AFTER CONSOLIDATION OR MERGER;"
Following: "SECTIONS"
Insert: "15-31-114, 15-31-702,"
Following: "32-1-371"
Insert: ","

2. Page 1, line 11.
Following: "(1)"
Strike: "The"
Insert: "Except as provided in subsections (3), (5), and (6), the"

3. Page 1, line 18.
Following: "(2)"
Strike: "Any"
Insert: "Except as provided in subsection (3), any"

4. Page 1, line 19.
Following: "board"
Strike: "in the case of state banks"

5. Page 2.
Following: line 5
Insert: "(3) (a) Before merging with another bank, a bank interested in being purchased shall file a notice of intent to sell with the state banking board. Within 60 days of this filing, any other bank interested in purchasing the bank that has filed a notice of intent to sell shall file an expression of interest with the state banking board naming the bank to be purchased.

(b) Commercial banks that engage in substantially all the activities listed in 32-1-105 and that are owned by a Montana corporation, Montana partnership, or citizens of Montana, shall have a priority right to purchase a bank that has filed a notice of intent to sell under subsection (a). A commercial bank doing business in Montana, as defined in 32-1-105, owned by an out-of-state holding company may consolidate or merge only if no Montana-owned bank has filed an expression of interest under subsection (a); or, if a filing has been made, then the bank owned by an out-of-state holding company may not lawfully enter into a purchase agreement or negotiations for 150 days from the date of the filing of the notice of intent to sell. The price and terms negotiated by the out-of-state holding company shall not be less than the price and terms offered or negotiated with any Montana-owned bank."
Renumber: subsequent subsections

6. Page 3.
Following: line 8
Insert: "(6) In the case of a consolidation or merger of banks under this section, each of the consolidated or merged banks shall maintain separate accounting records on a basis consistent with their records prior to the consolidation or merger. Any net operating loss incurred within the first 2 tax years after consolidation or merger cannot be used to offset profits in the same period by another of the consolidated or merged banks. Unused net operating losses incurred during that period would be available to reduce taxable income of that consolidated or merged bank after the 2-year tax period. During the period ending with the first two tax periods, any current net operating losses incurred by one consolidated or merged bank would be available to offset profits by

any other consolidated or merged bank. During the period ending with the first two tax periods, corporation license taxes would be distributed to the counties on the basis of the separate incomes of the merged banks in each county. After the first two tax periods, the taxes would be allocated to the counties on the basis of the deposits in each county."

7. Page 5, line 12.
Following: "merger"
Insert: "only"
Following: "bank"
Insert: "meeting the criteria of 32-1-105"

8. Page 5, line 15.
Strike: "32-1-371(4)"
Insert: "32-1-371(3) and (5)"

9. Page 5.
Following: line 15
Insert: "Section 3. Section 15-31-114, MCA, is amended to read:

"15-31-114. Deductions allowed in computing income. In computing the net income, the following deductions shall be allowed from the gross income received by such corporation within the year from all sources:

(1) All the ordinary and necessary expenses paid or incurred during the taxable year in the maintenance and operation of its business and properties, including reasonable allowance for salaries for personal services actually rendered, subject to the limitation hereinafter contained, rentals or other payments required to be made as a condition to the continued use or possession of property to which the corporation has not taken or is not taking title or in which it has no equity. No deduction shall be allowed for salaries paid upon which the recipient thereof has not paid Montana state income tax; provided, however, that where domestic corporations are taxed on income derived from without the state, salaries of officers paid in connection with securing such income shall be deductible.

(2) (a) ~~All~~ Except as provided in 37-1-371, all losses actually sustained and charged off within the year and not compensated by insurance or otherwise, including a reasonable allowance for the wear and tear and obsolescence of property used in the trade or business, such allowance to be determined according to the provisions of section 167 of the Internal Revenue Code in effect with respect to the taxable year. All elections for depreciation shall be the same as the elections made for federal income tax purposes. No deduction shall be allowed for any amount paid out for any buildings, permanent improvements, or betterments made to increase the value of any property or estate, and no deduction shall be made for any amount of expense of restoring property or making good the exhaustion thereof for which an allowance is or has been made.

(b) (i) There shall be allowed as a deduction for the taxable period a net operating loss deduction determined according to the provisions of this subsection. The net operating loss deduction is the aggregate of net operating loss carryovers to such taxable period plus the net operating loss carrybacks to such taxable period. The term "net operating loss" means the excess of the deductions

allowed by this section, 15-31-114, over the gross income, with the modifications specified in (ii) of this subsection. If for any taxable period beginning after December 31, 1970, a net operating loss is sustained, such loss shall be a net operating loss carryback to each of the three taxable periods preceding the taxable period of such loss and shall be a net operating loss carryover to each of the five taxable periods following the taxable period of such loss. A net operating loss for any taxable period ending after December 31, 1975, in addition to being a net operating loss carryback to each of the three preceding taxable periods, shall be a net operating loss carryover to each of the seven taxable periods following the taxable period of such loss. The portion of such loss which shall be carried to each of the other taxable years shall be the excess, if any, of the amount of such loss over the sum of the net income for each of the prior taxable periods to which such loss was carried. For purposes of the preceding sentence, the net income for such prior taxable period shall be computed with the modifications specified in (ii)(B) of this subsection and by determining the amount of the net operating loss deduction without regard to the net operating loss for the loss period or any taxable period thereafter, and the net income so computed shall not be considered to be less than zero.

(ii) The modifications referred to in (i) of this subsection shall be as follows:

(A) No net operating loss deduction shall be allowed.

(B) The deduction for depletion shall not exceed the amount which would be allowable if computed under the cost method.

(C) Any net operating loss carried over to any taxable years beginning after December 31, 1978, must be calculated under the provisions of this section effective for the taxable year for which the return claiming the net operating loss carryover is filed.

(iii) A net operating loss deduction shall be allowed only with regard to losses attributable to the business carried on within the state of Montana.

(iv) In the case of a merger of corporations, the surviving corporation shall not be allowed a net operating loss deduction for net operating losses sustained by the merged corporations prior to the date of merger. In the case of a consolidation of corporations, the new corporate entity shall not be allowed a deduction for net operating losses sustained by the consolidated corporations prior to the date of consolidation.

(v) Notwithstanding the provisions of 15-31-531, interest shall not be paid with respect to a refund of tax resulting from a net operating loss carryback or carryover.

(vi) The net operating loss deduction shall not be allowed with respect to taxable periods which ended on or before December 31, 1970, but shall be allowed only with respect to taxable periods beginning on or after January 1, 1971.

(3) In the case of mines, other natural deposits, oil and gas wells, and timber, a reasonable allowance for depletion and for depreciation of improvements; such reasonable allowance to be determined according to the provisions of the Internal Revenue Code in effect

for the taxable year. All elections made under the Internal Revenue Code with respect to capitalizing or expensing exploration and development costs and intangible drilling expenses for corporation license tax purposes shall be the same as the elections made for federal income tax purposes.

(4) The amount of interest paid within the year on its indebtedness incurred in the operation of the business from which its income is derived; but no interest shall be allowed as a deduction if paid on an indebtedness created for the purchase, maintenance, or improvement of property or for the conduct of business unless the income from such property or business would be taxable under this part.

(5) (a) Taxes paid within the year, except the following:

(i) Taxes imposed by this part.

(ii) Taxes assessed against local benefits of a kind tending to increase the value of the property assessed.

(iii) Taxes on or according to or measured by net income or profits imposed by authority of the government of the United States.

(iv) Taxes imposed by any other state or country upon or measured by net income or profits.

(b) Taxes deductible under this part shall be construed to include taxes imposed by any county, school district, or municipality of this state.

(6) Light vehicle license fees, as provided by 61-3-532, paid within the year.

(7) That portion of an energy-related investment allowed as a deduction under 15-32-103.

(8) (a) Except as provided in subsection (b), charitable contributions and gifts that qualify for deduction under section 170 of the Internal Revenue Code, as amended.

(b) The public service commission shall not allow in the rate base of a regulated corporation the inclusion of contributions made under this subsection.

(9) In lieu of the deduction allowed under subsection (8), the taxpayer may deduct the fair market value, not to exceed 30% of the taxpayer's net income, of a computer or other sophisticated technological equipment or apparatus intended for use with the computer donated to an elementary, secondary, or accredited postsecondary school located in Montana if:

(a) the contribution is made no later than 5 years after the manufacture of the donated property is substantially completed;

(b) the property is not transferred by the donee in exchange for money, other property, or services; and

(c) the taxpayer receives a written statement from the donee in which the donee agrees to accept the property and representing that the use and disposition of the property will be in accordance with the provisions of (b) of this subsection (9)."

Section 4. Section 15-31-702, MCA, is amended to read:

"15-31-702. Distribution of corporation license taxes collected from banks or savings and loan associations. (1) ~~All~~ Except as provided in 37-1-371, all corporation license taxes collected from banks and savings and loan associations shall be distributed in the following manner:

(a) 20% must be remitted to the state treasurer to be allocated as provided in 15-1-501(2); and

(b) 80% must be allocated to the various taxing jurisdictions within the county in which the bank or savings and loan association is located.

(2) The corporation license taxes distributed under subsection (1)(b) shall be allocated to each taxing jurisdiction in the proportion that its mill levy for that fiscal year bears to the total mill levy of the taxing authorities of the district in which the bank or savings and loan association is located.

(3) "Taxing jurisdictions" means, for the purposes of this section, all taxing authorities within a county permitted under state law to levy mills against the taxable value of property in the taxing district in which the bank or savings and loan association is located.

(4) If a return filed by a bank or savings and loan association involves branches or offices in more than one taxing jurisdiction, the department of revenue shall provide a method by rule for equitable distribution among those taxing jurisdictions.""

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Manning, McCallum, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 40

Noes: Conover, Daniels, Lane, Lybeck, Mazurek, Mohar, Shaw.
Total 7

Excused: Neuman.
Total 1

Absent or not voting: Blaylock, Lynch.
Total 2

Senator Neuman present at this time.

Senator Towe moved that the Committee of the Whole amendment be amended as follows:

1. Amendment No. 6.
Following: "merger."
Insert: "for the first 2 tax years"
Following: "2-year tax period."
Insert: "However, no further carryback would then be allowed to the first 2 tax years after consolidation or merger to the merged entity and no additional carryback shall be allowed than that allowed by law from the year the loss was actually incurred."

2. Following Amendment No. 9.

Insert: "Amendment No. 10. NEW SECTION. Section 5. Extension of authority. Any existing authority of the department of revenue to make rules on the subject of the provisions of this act is extended to the provisions of this act."

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 42

Noes: Conover, Daniels, Lane, Lybeck, Mohar, Shaw, Smith, Tveit.
Total 8

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That SB 232, as amended, do pass. Motion failed as follows:

Ayes: Anderson, Blaylock, Christiaens, Crippen, Eck, Fuller, Galt, Haffey, Hager, Hammond, Himsl, Jacobson, Keating, Lynch, Manning, Mazurek, McCallum, Neuman, Regan, Stephens, Stimatz, Thayer, Towe.
Total 23

Noes: Aklestad, Bengtson, Boylan, Brown, Conover, Daniels, Farrell, Gage, Goodover, Halligan, Harding, Hirsch, Kolstad, Lane, Lybeck, Mohar, Pinsoneault, Severson, Shaw, Smith, Story, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 27

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Boylan moved that SB 232 be indefinitely postponed. Motion carried as follows:

Ayes: Aklestad, Bengtson, Boylan, Brown, Conover, Daniels, Farrell, Gage, Goodover, Halligan, Harding, Hirsch, Kolstad, Lane, McCallum, Mohar, Severson, Shaw, Smith, Story, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 26

Noes: Anderson, Blaylock, Christiaens, Crippen, Eck, Fuller, Galt, Haffey, Hager, Hammond, Himsl, Jacobson, Keating, Lybeck, Lynch, Manning, Mazurek, Neuman, Pinsoneault, Regan, Stephens, Stimatz, Thayer, Towe.
Total 24

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 251 - That SB 251 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 254 - That SB 254 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 257 - That SB 257 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 267 - That SB 267 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Pinsoneault,

Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Daniels, McCallum, Mohar, Neuman, Regan.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 290 - That SB 290 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 298 - That SB 298 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 311 - That SB 311 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 9 - That House amendments to SJR 9 be concurred in. Motion failed as follows:

Ayes: Aklestad, Anderson, Boylan, Daniels, Gage, Galt, Haffey, Hager, Hammond, Harding, Himsl, Jacobson, Kolstad, Lane, Lynch, Mazurek, McCallum, Severson, Shaw, Smith, Stephens, Williams, Yellowtail.
Total 23

Noes: Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Fuller, Goodover, Halligan, Hirsch, Keating, Lybeck, Manning, Mohar, Neuman, Pinsoneault, Regan, Towe, Tveit, Van Valkenburg, Weeding, Mr. President.
Total 23

Excused: None.
Total 0

Absent or not voting: Farrell, Stimatz, Story, Thayer.
Total 4

Senator Van Valkenburg moved that House amendments to SJR 9 be rejected. Motion carried as follows:

Ayes: Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Fuller, Gage, Goodover, Halligan, Harding, Keating, Lybeck, Manning, Mohar, Neuman, Pinsoneault, Regan, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 26

Noes: Aklestad, Anderson, Daniels, Galt, Haffey, Hager, Hammond, Himsl, Jacobson, Kolstad, Lane, Lynch, Mazurek, McCallum, Severson, Shaw, Smith, Stephens, Yellowtail.
Total 19

Excused: None.
Total 0

Absent or not voting: Farrell, Hirsch, Stimatz, Story, Thayer.
Total 5

At the request of Senator Van Valkenburg, and without objection, the following bills were placed above House bills on second reading: SB 107, SB 187, SB 188, SB 242, SB 249, SB 337, SB 341, and SB 343.

SB 107 - That SB 107 do pass. Motion failed as follows:

Ayes: Anderson, Daniels, Eck, Farrell, Galt, Hager, Halligan, Keating, Lybeck, Neuman, Shaw, Stephens, Story, Weeding.
Total 14

Noes: Aklestad, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Fuller, Gage, Goodover, Haffey, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.

Total 35

Excused: None.
Total 0

Absent or not voting: Stimatz.
Total 1

Senator Van Valkenburg moved that SB 107 be indefinitely postponed. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 40

Noes: Daniels, Farrell, Fuller, Hager, Lybeck, Shaw, Stephens.
Total 7

Excused: None.
Total 0

Absent or not voting: Eck, Stimatz, Tveit.
Total 3

SB 187 - That SB 187 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 188 - That SB 188 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 242 - That SB 242 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 249 - That SB 249 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 337 - That SB 337 do pass. Motion carried as follows:

Ayes: Aklestad, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Fuller, Goodover, Hager, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mohar, Neuman, Pinsoneault, Regan, Smith, Thayer, Van Valkenburg, Weeding.
Total 26

Noes: Daniels, Farrell, Gage, Harding, Hirsch, Mazurek, Severson, Towe, Yellowtail.
Total 9

Excused: None.
Total 0

Absent or not voting: Anderson, Bengtson, Eck, Galt, Haffey, Halligan, Hammond, McCallum, Shaw, Stephens, Stimatz, Story, Tveit, Williams, Mr. President.
Total 15

SB 341 - That SB 341 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 343 - That SB 343 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 52 - That HB 52 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 103 - That HB 103 be concurred in. Senator Regan made a substitute motion that HB 103 be placed at the bottom of the board. Substitute motion failed as follows:

Ayes: Bengtson, Brown, Christiaens, Conover, Fuller, Gage, Hager, Halligan, Harding, Hirsch, Jacobson, Keating, Kolstad, Mohar, Regan, Stephens, Story, Van Valkenburg, Weeding, Yellowtail.

Total 20

Noes: Aklestad, Anderson, Blaylock, Boylan, Crippen, Daniels, Farrell, Galt, Goodover, Haffey, Hammond, Himsl, Lane, Lynch, Manning, Mazurek, Neuman, Pinsoneault, Severson, Shaw, Smith, Thayer, Towe, Mr. President.
Total 24

Excused: None.
Total 0

Absent or not voting: Eck, Lybeck, McCallum, Stimatz, Tveit, Williams.
Total 6

Senator Van Valkenburg made a substitute motion that HB 103 be placed below Governor's Amendments to HB 107. Substitute motion carried unanimously.

HB 106 - That HB 106, being a Constitutional Amendment, be not concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Bengtson, Brown, Goodover.
Total 3

Excused: None.
Total 0

Absent or not voting: Stimatz.
Total 1

HB 144 - That HB 144 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 194 - That HB 194 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch,

Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 316 - That HB 316 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 107 - That the Governor's Amendments to HB 107 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 103 - That the Senate Judiciary Standing Committee Report of 2/12/85 on HB 103 be amended as follows:

Strike: Amendments No. 1 and 4 in their entirety.

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager,

Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Blaylock, Crippen, Daniels, Shaw, Towe.
Total 5

Excused: None.
Total 0

Absent or not voting: Stimatz.
Total 1

That HB 103, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 13 - That HB 13 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 22 - That HB 22 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith,

Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: Shaw, Weeding.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Hager moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

NATURAL RESOURCES (Eck, Chairman): 2/15/85

SB 283, introduced bill, be amended as follows:

1. Page 3, line 14.
Following: "may"
Insert: ", in exchange,"

2. Page 3, lines 14 through 25.
Strike: ", in exchange,"

3. Page 3, line 15.
Following: "of"
Insert: "long-term"
Following: "bonds"
Strike: "bearing interest at the maximum rate permitted by law"

4. Page 15, line 9.
Strike: "consult with"
Insert: "inform"

And, as amended, do pass. Report adopted.

MOTIONS

Senator Towe moved that SB 425 be taken from the Committee on Taxation and that it be rereferred to the Committee on Business and Industry. Motion carried unanimously.

Senator Towe moved that SB 426 be taken from the Committee on Taxation and that it be rereferred to the Committee on Business and Industry. Motion carried unanimously.

At the request of Senator Lane, and without objection, Senator Lane's vote on Senator Van Valkenburg's motion that the House amendments to SJR 9 be rejected be recorded as no.

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee of three to meet with a committee from the House of Representatives on House Amendments to SJR 9. Motion carried unanimously.

Senator Van Valkenburg moved that the Senate adjourn until 9:00 a.m., February 16, 1985.

Motion carried.

Senate adjourned at 6:01 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

THIRTY-SIXTH LEGISLATIVE DAY

Helena, Montana
February 16, 1985

Senate Chambers
State Capitol

Senate convened at 9:00 a.m., President Norman presiding. Invocation by the Chaplain, Pastor Monsen. Pledge of Allegiance to the Flag.

Roll call. All members present except Conover, Lybeck, Pinsoneault, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 2/16/85

Correctly printed and placed on the members' desks: SB 108, SB 171, SB 204, SB 244, SB 247, SB 259, SB 263, SB 265, SB 276, SB 278, SB 283, SB 292, SB 300, SB 313, SB 327, SB 344, SB 373, SJR 14, SJR 18, SJR 19.

Considered correctly engrossed: SB 187, SB 188, SB 242, SB 249, SB 251, SB 254, SB 257, SB 267, SB 290, SB 298, SB 311, SB 337, SB 341, SB 343.

Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 2/16/85

Recommend that at the close of business February 16, 1985, the following employment be terminated:

Eric Pedersen ..... Page
Loy Blasing ..... Page
Kathy Hertz ..... Page
Polly Boylan ..... Page
Douglas Christiaens ..... Page
Lisa DeCock ..... Page
Dawn Warner ..... Page
Coleen Furthmyre ..... Page

Report adopted.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Boylan, Chairman): 2/15/85

HB 70, be concurred in. Report adopted.
HB 297, be concurred in. Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 2/15/85

SB 306, introduced bill, be amended as follows:

1. Page 1, line 15.
Following: "board."
Insert: "The actual cost of this examination must be paid from the board's funds."

2. Page 1, line 23.
Following: "board."
Insert: "The actual cost of this examination must be paid from the board's funds."

3. Page 2, line 9.
Following: "board."
Insert: "The actual cost of this examination must be paid from the board's funds."

And, as amended, do pass. Report adopted.

SB 333, introduced bill, be amended as follows:

1. Page 2, lines 4 through 6.
Following: "~~The~~" on line 4
Strike: remainder of line 4 through the end of line 6
Insert: "The"

2. Page 2, line 8.
Following: "party"
Insert: "."

3. Page 2.
Following: line 8
Strike: "and"
Insert: "The division shall"

4. Page 2, line 10.
Following: "certificate"
Strike: ". When"
Insert: "; however, if"

5. Page 6, line 7.
Following: "within"
Strike: "the 20-day grace period"
Insert: "25 days"

6. Page 6, line 12.
Following: "penalty"
Strike: "or"
Insert: ","
Following: "fees"
Insert: ", or taxes"

And, as amended, do pass. Report adopted.

SB 357, introduced bill, be amended as follows:

1. Title, line 6.
Following: "SELL"
Strike: "BEER OR BEER AND WINE"
Insert: "ALCOHOLIC BEVERAGES"

2. Title, line 9.
Following: "MCA"
Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 1, line 24 through line 1, page 2.
Following: "ordinance."
Insert: "During such hours all persons except the alcoholic beverage licensee and employees of such licensed establishment shall be excluded from the licensed premises."

4. Page 2, line 7.
Following: "sale,"
Strike: "or"

5. Page 2, line 8.
Following: "away"
Strike: "any such"
Insert: ", consume, or allow the consumption of"
Following: "beverages"
Insert: "."

6. Page 2, line 10.
Following: "~~therefrom~~"
Strike: "; provided,"

7. Page 2, line 11.
Strike: "however, that when"
Insert: "When"

8. Page 2, lines 12 through 14.
Following: "sell"
Strike: "beer or beer and wine at retail also operates on the same premises as"
Insert: "alcoholic beverages is operated in conjunction with"

9. Page 2.
Following: line 18
Insert: "NEW SECTION. Section 3. Effective date. This act is effective on passage and approval."

And, as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Blaylock, Chairman):
2/15/85

SB 269, introduced bill, be amended as follows:

1. Page 14, lines 2 through 17.
Strike: section 2 in its entirety
Renumber: subsequent sections

And, as amended, do pass. Report adopted.

SB 271, introduced bill, be amended as follows:

1. Title, line 8.
Strike: "SECTION"
Insert: "SECTIONS 15-1-501 AND"
Strike: "APPLICABILITY"
Insert: "EFFECTIVE"

2. Page 3.
Following: line 3
Insert: "Section 2. Section 15-1-501, MCA, is amended to read:

"15-1-501. Disposition of moneys from certain designated license and other taxes. (1) The state treasurer shall deposit to the credit of the state general fund all moneys received by him from the collection of:

(a) automobile driver's license fees under subsections (1) through (6) of 61-5-111;

(b) electrical energy producer's license taxes under chapter 51;

(c) severance taxes allocated to the general fund under chapter 36;

(d) liquor license taxes under Title 16;

(e) telephone [company] license taxes under chapter 53; and

(f) inheritance and estate taxes under Title 72, chapter 16.

(2) ~~Seventy-five~~ Seventy percent of all moneys received from the collection of income taxes under chapter 30 and 75% of all money received from the collection of corporation license and income taxes under chapter 31, except as provided in 15-31-702, shall be deposited

in the general fund subject to the prior pledge and appropriation of such income tax and corporation license tax collections for the payment of long-range building program bonds. The remaining 25% of the proceeds of the corporation license tax, excluding that allocated to the counties under 15-31-702, corporation income tax, and the remaining 30% of the proceeds of the income tax shall be deposited to the credit of the state special revenue fund for state equalization aid to the public schools of Montana.

(3) The state treasurer shall also deposit to the credit of the state general fund all moneys received by him from the collection of license taxes, fees, and all net revenues and receipts from all other sources under the operation of the Montana Alcoholic Beverage Code.

(4) Thirty-three and one-third percent of the total collections of the oil severance tax under chapter 36 shall be deposited into the local government block grant account within the state special revenue fund. After the distribution provided for in 15-36-112, the remainder of the oil severance tax collections shall be deposited in the general fund.""

Renumber: subsequent section

3. Page 3, line 4.
Strike: "Applicability"
Insert: "Effective date"

4. Page 3, line 5.
Strike: "applies to taxable years beginning after December 31, 1984"
Insert: "is effective July 1, 1985"

And, as amended, do pass. Report adopted.

SB 320, introduced bill, be amended as follows:

1. Page 2, line 16.
Following: "thereafter"
Strike: "until June 1"

2. Page 4, line 20.
Following: "thereafter"
Strike: "until June 1"

And, as amended, do pass. Report adopted.

HB 267, be concurred in. Report adopted.

NATURAL RESOURCES (Eck, Chairman): 2/15/85
SB 359, do pass. Report adopted.
SJR 16, do pass. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman): 2/15/85

SB 310, introduced bill, be amended as follows:

1. Title, line 7.
Following: "FOR"
Strike: "PHYSICALLY DISABLED PERSONS AND"

2. Page 1, line 16.
Following: "(1) a"
Insert: "community"
Following: "group"

Strike: ", foster, or other"

3. Page 1.
Following: line 17
Strike: "disabled or"
Following: "~~handicapped~~"
Insert: ", mentally, or"

4. Page 1, line 19.
Following: "~~care~~"
Insert: "which does not provide skilled or intermediate nursing care"

5. Page 1, line 20.
Following: "youth"
Insert: "foster home or youth"

6. Page 1, line 24.
Following: "persons;"
Strike: "or"

7. Page 1, line 25.
Following: "home"
Insert: "; or

(5) a licensed intermediate developmental care facility as defined in 50-5-101(27)(d)"

And, as amended, do pass. Report adopted.

TAXATION (Towe, Chairman): 2/15/85
HB 140, be concurred in. Report adopted.

Adverse Committee Reports

BUSINESS AND INDUSTRY (Halligan, Chairman): 2/15/85
SB 297, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Mazurek, McCallum, Neuman, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 42

Noes: Eck, Manning, Mohar, Regan, Towe.
Total 5

Excused: Conover, Lybeck, Pinsoneault.
Total 3

Absent or not voting: None.
Total 0

SB 318, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Keating, Thayer.

Total 2

Excused: Conover, Lybeck, Pinsoneault.
Total 3

Absent or not voting: Eck.
Total 1

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman):
2/15/85

SB 312, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Eck, Jacobson.
Total 2

Excused: Conover, Lybeck, Pinsoneault.
Total 3

Absent or not voting: Farrell.
Total 1

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

February 15, 1985

Dear Mr. President:

This is to inform you that I have signed Senate Bill No. 71 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 2/15/85

HB 65, introduced by Zabrocki

HB 254, introduced by Devlin, et al.

HB 470, introduced by Spaeth

HB 550, introduced by J. Brown, et al.

HB 575, introduced by Kadas

HB 579, introduced by Winslow

HB 605, introduced by Connelly, Lory

HB 621, introduced by Holliday, et al.

HB 683, introduced by Connelly, et al.

HB 732, introduced by Cohen, et al.

HB 800, introduced by Harp, et al.

HJR 21, introduced by Fritz, et al.

MOTIONS

Senator Mazurek moved that consideration on SB 250, on second reading this legislative day, be passed. Motion carried unanimously.

Senator Galt moved that consideration on HB 459, on second reading this legislative day, be passed until the 38th legislative day, 2/19/85. Motion carried unanimously.

At the request of Senator Galt, and without objection, Senator Galt's vote on HB 318 be recorded as yes.

Senator Smith moved that the Senate reconsider its action in rejecting House Amendments to SJR 9 and that it be placed on second reading. Motion failed as follows:

Ayes: Aklestad, Anderson, Boylan, Daniels, Gage, Galt, Haffey, Hammond, Harding, Himsl, Jacobson, Kolstad, Lane, Lynch, Mazurek, McCallum, Severson, Shaw, Smith, Stephens, Stimatz, Tveit, Williams, Yellowtail.
Total 24

Noes: Bengtson, Blaylock, Brown, Christiaens, Crippen, Eck, Farrell, Fuller, Goodover, Hager, Halligan, Hirsch, Keating, Lybeck, Manning, Mohar, Neuman, Pinsoneault, Regan, Story, Thayer, Towe, Van Valkenburg, Weeding, Mr. President.
Total 25

Paired: Aklestad, Tveit, Ayes; Lybeck, Pinsoneault, Noes.

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

Senator Crippen moved that consideration on SB 399, on second reading this legislative day, be passed until the 38th legislative day, 2/19/85. Motion carried unanimously.

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 427, introduced by Manning, Haffey, Lynch, Daniels, Mohar, McCallum, McCormick, Driscoll, O'Connell. Referred to Committee on State Administration.

SB 428, introduced by Christiaens, Mohar, Conover, Halligan, Towe. Referred to Committee on Business and Industry.

SB 429, introduced by Pinsoneault, Mercer, (By Request of the Department of Justice). Referred to Committee on Judiciary.

SB 430, introduced by Towe. Referred to Committee on Labor and Employment Relations.

SB 432, introduced by Eck, Keenan, Halligan, Towe. Referred to Committee on Taxation.

SB 433, introduced by Norman, (By Request of the Department of Justice). Referred to Committee on Judiciary.

SB 434, introduced by Eck, Halligan, Addy. Referred to Committee on Taxation.

SB 435, introduced by Galt. Referred to Committee on Natural Resources.

SB 436, introduced by Bengtson, B. Brown. Referred to Committee on Taxation.

SB 437, introduced by Fuller, Asay, Ream, J. Hammond, Jacobson, Hansen, Yellowtail, Kadas, Blaylock, Christiaens, Krueger, Addy, Cohen, Harrington, Keenan, Boylan, Halligan, B. Brown, Spaeth, Miles. Referred to Committee on Taxation.

SB 438, introduced by Towe. Referred to Committee on Business and Industry.

SB 439, introduced by Galt, Mazurek, (By Request of the Reserved Water Rights Compact Commission). Referred to Committee on Judiciary.

SB 440, introduced by B. Williams, Boylan, Kolstad, Manning, Rapp-Svrcek, Haffey, Driscoll, Gage. Referred to Committee on Labor and Employment Relations.

SR 4, introduced by Tveit, Keating. Referred to Committee on Rules.

The following House bills were introduced, read first time, and referred to committees:

HB 65, introduced by Zabrocki. Referred to Committee on Highways and Transportation.

HB 254, introduced by Devlin, Switzer, Pavlovich, Menahan, D. Brown, Phillips, C. Smith, Jones, Swift. Referred to Committee on Highways and Transportation.

HB 470, introduced by Spaeth. Referred to Committee on Local Government.

HB 550, introduced by J. Brown, Miles, Fuller, Harper, Vincent. Referred to Committee on State Administration.

HB 575, introduced by Kadas. Referred to Committee on Judiciary.

HB 579, introduced by Winslow, (By Request of the Department of Institutions). Referred to Committee on Judiciary.

HB 605, introduced by Connelly, Lory, (By Request of the Department of Institutions). Referred to Committee on Public Health, Welfare and Safety.

HB 621, introduced by Holliday, Schultz, Ellerd, Koehnke, Manuel, (By Request of the Department of Agriculture). Referred to Committee on Agriculture, Livestock and Irrigation.

HB 683, introduced by Connelly, C. Smith, Jones, Nelson, B. Brown. Referred to Committee on Local Government.

HB 732, introduced by Cohen, Harp, Brandewie, Mercer, Connelly, Lybeck, Pinsoneault, B. Brown, Harding, Harbin, C. Smith, Jones, Nelson, (By Request of the Flathead Basin Commission). Referred to Committee on State Administration.

HB 800, introduced by Harp, Devlin, M. Williams, (By Request of the House Taxation Committee). Referred to Committee on State Administration.

HJR 21, introduced by Fritz, Vincent, J. Moore, Darko, Garcia, Harbin, Raney, Holliday, O'Connell, Zabrocki, Bardanouve, Menahan, Cody, Peck, Poff, Keenan, Montayne, Kennerly, McCormick, Addy, Howe, Miles, Rapp-Svrcek, Waldron, Harrington, Nisbet, Kadas, J. Brown, Ream, Schye, J. Hammond, Krueger, M. Williams, Abrams, Quilici, Harper, Hart, Manuel, Hansen, Hand, Connelly, Bradley, Lory. Referred to Committee on Taxation.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 184, being a Constitutional Amendment, was sent to the House with the following vote:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Farrell, Fuller, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Daniels, Eck, Haffey, Lynch, Regan.
Total 5

Paired: Lybeck, Pinsoneault, Ayes; Lynch, Regan, Noes.

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

SB 195 passed as follows:

Ayes: Anderson, Boylan, Brown, Christiaens, Crippen, Eck, Farrell, Fuller, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Stimatz, Thayer, Van Valkenburg, Weeding, Williams, Mr. President.
Total 31

Noes: Aklestad, Bengtson, Blaylock, Daniels, Gage, Galt, Goodover, Hager, Hammond, Keating, Lane, Shaw, Smith, Stephens, Story, Towe, Tveit, Yellowtail.
Total 18

Paired: Lybeck, Pinsoneault, Ayes; Aklestad, Keating, Noes.

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

SB 221 passed as follows:

Ayes: Anderson, Blaylock, Boylan, Brown, Christiaens, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 38

Noes: Aklestad, Bengtson, Crippen, Goodover, Hager, Hammond, Keating, McCallum, Regan, Shaw.
Total 10

Paired: Lybeck, Aye; Keating, No;

Excused: Conover, Pinsoneault.

Total 2

Absent or not voting: None.
Total 0

SB 223 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Keating, Story.
Total 2

Paired: Lybeck, Aye; Story, No.

Excused: Conover, Pinsoneault.
Total 2

Absent or not voting: None.
Total 0

SB 230 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Blaylock, Eck, Regan.
Total 3

Excused: Conover, Lybeck, Pinsoneault.
Total 3

Absent or not voting: None.
Total 0

HB 27 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Conover, Lybeck, Pinsoneault.
Total 3

Absent or not voting: None.
Total 0

HB 30 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 42

Noes: Aklestad, Daniels, Jacobson, Kolstad, Stimatz.
Total 5

Excused: Conover, Lybeck, Pinsoneault.
Total 3

Absent or not voting: None.
Total 0

HJR 5 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Conover, Lybeck, Pinsoneault.
Total 3

Absent or not voting: None.
Total 0

MOTIONS

At the request of Senator Eck, and without objection, Senator Eck's vote on HB 30 be recorded as yes.

At the request of Senator Blaylock, and without objection, Senator Blaylock's vote on SB 195 be recorded as no.

At the request of Senator Story, and without objection, the Senate reverted to Order of Business No. 6.

At the request of Senator Story, and without objection, Senator Story's vote on the Adverse Committee Report on SB 318 be recorded as yes.

At the request of Senator Weeding, and without objection, Senator Weeding's vote on SB 184 be recorded as yes.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Blaylock in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 109 - That SB 109 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Conover, Lybeck, Pinsoneault.
Total 3

Absent or not voting: None.
Total 0

SB 130 - That SB 130 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Conover, Lybeck, Pinsoneault.
Total 3

Absent or not voting: None.
Total 0

SB 248 - That SB 248 do pass. Motion failed as follows:

Ayes: Boylan, Brown, Farrell, Galt, Haffey, Jacobson, Kolstad, Lynch, Manning, Mohar, Shaw, Stephens, Towe, Van Valkenburg, Mr. President.
Total 15

Noes: Aklestad, Anderson, Bengtson, Blaylock, Christiaens, Crippen, Daniels, Eck, Gage, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Lane, Mazurek, Neuman, Regan, Severson, Smith, Story, Thayer, Weeding, Williams, Yellowtail.
Total 27

Excused: Conover, Lybeck, Pinsoneault.
Total 3

Absent or not voting: Fuller, Halligan, McCallum, Stimatz, Tveit.
Total 5

Senator Mazurek moved that SB 248 be indefinitely postponed. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Christiaens, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch,

Mazurek, Neuman, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 37

Noes: Boylan, Brown, Farrell, Haffey, Manning, Mohar, Van Valkenburg.
Total 7

Excused: Conover, Lybeck, Pinsoneault.
Total 3

Absent or not voting: McCallum, Stimatz, Williams.
Total 3

SB 270 - That SB 270, second reading copy, be amended as follows:

1. Page 4, line 13.
Strike: "(3)"
Following: "July 1,"
Strike: "1985"
Insert: "1986"

2. Page 4, line 14.
Following: "9%"
Strike: "4% of coal severance tax collections are"
Insert: "50% of the amount allocated to the highway reconstruction trust fund account under this subparagraph is"
Renumber: subsequent subsection

Amendment failed as follows:

Ayes: Anderson, Christiaens, Daniels, Eck, Fuller, Hager, Hammond, Himsl, Jacobson, Keating, Lane, Lynch, Manning, Neuman, Regan, Stimatz, Towe, Williams, Yellowtail.
Total 19

Noes: Aklestad, Bengtson, Blaylock, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Haffey, Halligan, Harding, Hirsch, Kolstad, Mazurek, McCallum, Mohar, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Van Valkenburg, Weeding, Mr. President.
Total 28

Excused: Conover, Lybeck, Pinsoneault.
Total 3

Absent or not voting: None.
Total 0

That SB 270 do pass. Motion failed as follows:

Ayes: Boylan, Daniels, Haffey, Hager, Hammond, Jacobson, Kolstad, Lane, Lynch, Smith, Stimatz, Tveit.
Total 12

Noes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Halligan, Harding, Himsl, Hirsch, Keating, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Stephens, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 35

Excused: Conover, Lybeck, Pinsoneault.
Total 3

Absent or not voting: None.

Total 0

Senator Van Valkenburg moved that SB 270 be indefinitely postponed. Motion carried as follows:

Ayes: Aklestad, Bengtson, Blaylock, Brown, Christiaens, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Manning, Mazurek, McCallum, Mohar, Regan, Severson, Shaw, Stephens, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 36

Noes: Boylan, Daniels, Haffey, Hager, Jacobson, Lynch, Neuman, Smith, Stimatz, Tveit.
Total 10

Excused: Conover, Lybeck, Pinsoneault.
Total 3

Absent or not voting: Anderson.
Total 1

SB 272 - That SB 272 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Conover, Lybeck, Pinsoneault.
Total 3

Absent or not voting: None.
Total 0

SB 273 - That SB 273 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Conover, Lybeck, Pinsoneault.
Total 3

Absent or not voting: None.
Total 0

SB 282 - That SB 282 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Conover, Lybeck, Pinsoneault.
Total 3

Absent or not voting: None.
Total 0

SB 296 - That SB 296 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Conover, Lybeck, Pinsoneault.
Total 3

Absent or not voting: None.
Total 0

SB 301 - Senator Christiaens moved that consideration on SB 301 be passed for the day. Motion carried unanimously.

SB 315 - That SB 315 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Conover, Lybeck, Pinsoneault.
Total 3

Absent or not voting: None.
Total 0

SB 331 - That SB 331 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover,

Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Conover, Lybeck, Pinsoneault.
Total 3

Absent or not voting: None.
Total 0

SB 350 - That SB 350 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Conover, Lybeck, Pinsoneault.
Total 3

Absent or not voting: None.
Total 0

HB 141 - That HB 141 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Crippen, Daniels, Farrell, Fuller, Gage, Goodover, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Manning, McCallum, Mohar, Regan, Severson, Shaw, Stimatz, Story, Van Valkenburg, Weeding, Williams, Mr. President.
Total 33

Noes: Galt, Hager, Hammond, Mazurek, Neuman, Thayer, Towe, Yellowtail.
Total 8

Excused: Conover, Lybeck, Pinsoneault.
Total 3

Absent or not voting: Brown, Eck, Lynch, Smith, Stephens, Tveit.
Total 6

HB 233 - That HB 233 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 47

Noes: None.
Total 0

Excused: Conover, Lybeck, Pinsoneault.
Total 3

Absent or not voting: None.
Total 0

HB 317 - That HB 317 be concurred in. Senator Mazurek made a substitute motion that consideration on HB 317 be passed. Substitute motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Stimatz.
Total 1

Excused: Conover, Lybeck, Pinsoneault.
Total 3

Absent or not voting: None.
Total 0

HJR 17 - That HJR 17 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Conover, Lybeck, Pinsoneault.
Total 3

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Blaylock moved the adoption of the committee report. Report adopted.

UNFINISHED BUSINESS

In accordance with the motion made and carried on February 15, 1985, the President appointed the following members to the Conference Committee on House Amendments to SJR 9:

Senator Christiaens, Chairman

Senator Keating
Senator Haffey

Senator Van Valkenburg moved that the Senate adjourn until 2:30 p.m., February 18, 1985.

Motion carried.

Senate adjourned at 11:41 a.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

THIRTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
February 18, 1985

Senate Chambers
State Capitol

Senate convened at 2:32 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Farrell, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journals for the thirty-fourth and thirty-fifth legislative days, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 2/18/85

Correctly printed and placed on the members' desks: SB 269, SB 271, SB 306, SB 310, SB 320, SB 333, SB 357, SB 359, SJR 16.

Considered correctly engrossed: SB 109, SB 130, SB 272, SB 273, SB 282, SB 296, SB 315, SB 331, SB 350.

Signed by the President at 11:00 a.m., 2/16/85: HB 9, HB 34, HB 94, HB 116, HB 195, HJR 3.

Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 2/18/85

Recommend that at the beginning of business February 18, 1985, the following be employed:

Tiffani Rom.....Page
Roseann Story.....Page
Roger Shaffer.....Page
Seana McGarvey.....Page
Meg Jacoby.....Page
Robert Weiss.....Page
Eric Jacobson.....Page
Jennifer Morris.....Page
Michelle Moreni.....Page
Marshall Martin.....Page

Report adopted.

JUDICIARY (Mazurek, Chairman): 2/16/85

SB 55, introduced bill, be amended as follows:

1. Title, line 6.
Following: "ROYALTY"
Strike: "OR MINERAL"

2. Page 1.
Following: line 10
Insert: "NEW SECTION. Section 1. Purpose. Nothing contained in [this act] shall change the nature of a royalty interest prior to actual production. The purpose of [this act] is to place a limitation on actions seeking royalty interests reserved by the county, once production has commenced, without in any way affecting the validity of any claims a county may have prior to the commencement of production."
Renumber: subsequent sections

3. Page 1, line 13.
Following: "for"
Strike: "mineral"
Insert: "royalty"

4. Page 3.
Following: line 1
Insert: "(4) All affirmative defenses at law or equity, including but not limited to estoppel, laches, adverse possession, plus any applicable statute of limitations, shall apply in any suit brought to challenge the title to a royalty interest in land claimed to have been acquired by a county by tax deed."
Renumber: subsequent subsection

5. Page 3, lines 2 and 3.
Following: "royalty"
Strike: remainder of line 2 through "mineral" on line 3

6. Page 3, lines 23 and 24.
Following: "royalty"
Strike: remainder of line 23 through "mineral" on line 24

7. Page 3, line 25.
Following: "within"
Strike: "5"
Insert: "3"

8. Page 4, line 3.
Following: "recover"
Strike: "mineral"
Insert: "royalty"

9. Page 4, line 5.
Following: "royalty"
Strike: "or mineral"

And, as amended, do pass. Report adopted.

SB 328, introduced bill, be amended as follows:

1. Page 2, line 7.
Following: "hospital,"
Strike: "hospital employee,"
Following: "~~qualified~~"
Insert: "qualified"

2. Page 2, line 9.
Following: "~~nurse~~"
Strike: remainder of line 9 in its entirety

3. Page 2, line 11.
Following: "~~proper~~"
Insert: "proper"

4. Page 2, lines 12 and 13.
Following: "administer"
Strike: remainder of line 12 through "administering" on line 13

5. Page 2, line 13.
Following: "test"
Strike: remainder of line 13 through "injury"
Insert: "If a blood test is administered at the written request of a peace officer without the consent of a person suspected of homicide,

no physician, licensed hospital, registered nurse, or other qualified person administering the test, or any hospital employee assisting in administering the test, shall incur any civil or criminal liability in connection with the test as a result of any resistance offered by the suspected person."

And, as amended, do pass. Report adopted.

SB 294, do pass. Report adopted. 2/18/85
SB 321, do pass. Report adopted.

NATURAL RESOURCES (Eck, Chairman): 2/15/85
SB 323, introduced bill, be amended as follows:

1. Title, line 12.
Strike: "37-67-305,"

2. Page 14, line 22 through page 15, line 10.
Strike: section 8 in its entirety
Renumber: subsequent section

3. Page 15, lines 2 and 3.
Strike: "able to communicate in the English language and be"

4. Page 15, lines 16 and 17.
Strike: "able to communicate in the English language and be"

5. Page 30, lines 1 and 3.
Strike: "20"
Insert: "19"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 2/15/85
SB 210, introduced bill, be amended as follows:

1. Page 1, line 25.
Following: "one"
Strike: "electrical contractor"
Insert: "journeyman from the building trades"

2. Page 4, line 12.
Following: "road"
Insert: ", unless it is financed entirely or in part with federal funds"

3. Page 4.
Following: line 12
Strike: line 13 in its entirety
Renumber: subsequent subsections

4. Page 4, line 19.
Following: "through"
Strike: "(7)(a)(v)"
Insert: "(7)(a)(iv)"

5. Page 9, line 18.
Following: "exclusively"
Strike: "with"
Insert: "to do construction work for, or any construction work performed for"

6. Page 10, line 12.
Following: "engineers"
Insert: ", when acting solely in their professional capacity"

7. Page 13, line 22.
Following: "health,"
Insert: "labor, taxation,"

8. Page 14, lines 13 and 14.
Following: "may"
Strike: remainder of line 13 through "it," on line 14
Insert: "adopt reasonable rules in accordance with the provisions of this chapter to"

9. Page 14, line 19.
Following: "only."
Insert: "The board shall prepare and make available to applicants and licensees an information pamphlet pertaining to all state statutes or rules which may be covered in the examination."

10. Page 23, lines 20 through 22.
Following: "(p)"
Strike: remainder of line 20 through "board" on line 22
Insert: "willful or deliberate failure to pay any city, county, or state tax"

11. Page 24, line 1.
Following: "work"
Strike: "in excess of his limit or"

And, as amended, do pass. Report adopted.

SB 274, introduced bill, be amended as follows:

1. Title, line 7.
Following: "LICENSE"
Insert: "OR ISSUANCE OF A PROBATIONARY LICENSE"

2. Title, lines 8 through 10.
Following: "APPLICANT"
Strike: remainder of line 8 through "ISSUED" on line 10

3. Page 1, line 17.
Following: "license"
Strike: "are"
Insert: "may be, under appropriate circumstances,"

4. Page 1, line 18.
Following: "grounds for"
Insert: "either issuance of a probationary license for a period not to exceed 1 year or"

5. Page 1, lines 19 through 22.
Following: "(2)"
Strike: remainder of line 19 through "period." on line 22
Insert: "The denial of a license or the issuance of a probationary license under subsection (1) must be conducted as a contested case hearing under the provisions of the Montana Administrative Procedure Act."

And, as amended, do pass. Report adopted.

SB 275, introduced bill, be amended as follows:

1. Page 1, line 25.
Following: "of any type"
Insert: ", with an occupant load of 30 or more persons,"

2. Page 2, line 1.
Following: "or use"
Insert: ", except as provided in 37-65-103(3)(c) and (3)(d),"

3. Page 5.
Following: line 7
Strike: subsection (2) in its entirety
Renumber: subsequent subsection

4. Page 8, line 5.
Following: "~~hearing~~"
Insert: "right to notice and hearing"

5. Page 9.
Following: line 22
Insert: "(3) A license may not be revoked or suspended except under the contested case provisions of the Montana Administrative Procedure Act."

And, as amended, do pass. Report adopted.

SJR 15, do pass. Report adopted.

Adverse Committee Reports

STATE ADMINISTRATION (Haffey, Chairman): 2/15/85
SB 222, introduced bill, be amended as follows:

1. Title, lines 7 and 8.
Following: "SANCTIONS"
Strike: remainder of line 7 through "RULES" on line 8

2. Page 1, line 23.
Strike: "impose the following"
Insert: "adopt rules specifying grounds for"

3. Page 1, lines 24 and 25.
Following: "~~for~~"
Strike: remainder of line 24 through "cases" on line 25
Insert: "action and rules providing for"

4. Page 3, line 1.
Strike: "$500"
Insert: "$150"

5. Page 3, line 5.
Strike: "state special revenue"
Insert: "general"

And, as amended, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Lynch.
Total 1

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 2/16/85

HB 274, introduced by Holliday

HB 288, introduced by Thoft, et al.

HB 365, introduced by Campbell

HB 724, introduced by Keyser, et al.

House bills passed and transmitted to the Senate for concurrence: 2/18/85

HB 85, introduced by Lory

HB 238, introduced by Connelly, et al.

HB 406, introduced by Ream

HB 475, introduced by Manuel, Peck

HB 487, introduced by Wallin, et al.

HB 517, introduced by Hansen, et al.

HB 519, introduced by Sales

HB 530, introduced by C. Smith, et al.

HB 573, introduced by Peterson

HB 574, introduced by Thomas, Quilici

HB 576, introduced by Fritz, et al.

HB 580, introduced by Darko, et al.

HB 581, introduced by Wallin, Ellison

HB 586, introduced by Gould, Campbell

HB 587, introduced by Gould, Campbell

HB 588, introduced by Gould, Campbell

HB 595, introduced by Bradley

HB 601, introduced by Thoft, et al.

HB 618, introduced by Sands

HB 620, introduced by Bradley, et al.

HB 629, introduced by Pavlovich, et al.

HB 692, introduced by J. Moore

HB 695, introduced by Asay

MOTIONS

Senator Shaw moved that consideration on SB 108, on second reading this legislative day, be passed. Motion carried unanimously.

Senator Daniels moved that consideration on SB 247, on second reading this legislative day, be passed. Motion carried unanimously.

Senator Daniels moved that consideration on SB 313, on second reading this legislative day, be passed. Motion carried unanimously.

Senator Keating moved that the Senate reconsider its action in adopting the adverse committee report on SB 318 and that it be printed and placed on second reading. Motion failed as follows:

Ayes: Aklestad, Crippen, Hager, Hammond, Himsl, Hirsch, Keating, McCallum, Shaw, Stephens, Thayer.
Total 11

Noes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Harding, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Smith, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 37

Excused: Farrell, Neuman.
Total 2

Absent or not voting: None.
Total 0

Senator Neuman excused at this time.

Senator Weeding moved that the rules be temporarily suspended in order to allow the drafting and introduction of a bill or resolution. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Farrell, Neuman.
Total 2

Absent or not voting: Aklestad, Kolstad.
Total 2

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 431, introduced by Eck, Severson, Hager, Lybeck, Hirsch, Mazurek, Towe, (By Request of the Senate Taxation Committee). Referred to Committee on Taxation.

SB 441, introduced by Bengtson, Towe. Referred to Committee on Local Government.

SB 442, introduced by B. Brown, Mohar, O'Hara, Peck. Referred to Committee on Taxation.

SB 443, introduced by Regan. Referred to Committee on Taxation.

SB 444, introduced by Halligan, Cohen, Mohar, Eck, Manning, Yellowtail. Referred to Committee on Natural Resources.

SB 445, introduced by Christiaens, Miller. Referred to Committee on Business and Industry.

SB 446, introduced by Hager, Hirsch. Referred to Committee on Judiciary.

The following House bills were introduced, read first time, and referred to committees:

HB 274, introduced by Holliday. Referred to Committee on State Administration.

HB 288, introduced by Thoft, Holliday, Neuman, Ramirez. Referred to Committee on State Administration.

HB 365, introduced by Campbell, (By Request of the Department of Justice, Division of Motor Vehicles). Referred to Committee on Judiciary.

HB 724, introduced by Keyser, Devlin, Switzer, Spaeth, Ernst, Ellison, Nathe, Schultz, Manuel, Koehnke. Referred to Committee on State Administration.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 187 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Farrell, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 188 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Farrell, Neuman.
Total 2

Absent or not voting: None.

Total 0

SB 242 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Farrell, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 249 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Lynch.
Total 1

Excused: Farrell, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 251 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Farrell, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 254 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Farrell, Neuman.
Total 2

Absent or not voting: Shaw.
Total 1

SB 257 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Farrell, Neuman.
Total 2

Absent or not voting: None.
Total 0

Senator Neuman present at this time.

SB 267 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Daniels, Lybeck.
Total 2

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

SB 290 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover,

Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

SB 298 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

SB 311 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

SB 337 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens,

Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

SB 341 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Regan.
Total 1

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

SB 343 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

HB 13 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

HB 22 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Thayer, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 44

Noes: Boylan, Shaw, Story, Tveit, Weeding.
Total 5

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

HB 52 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

HB 103 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Blaylock, Crippen, Halligan, Hammond.
Total 4

Excused: Farrell.
Total 1

Absent or not voting: None.

Total 0

HB 106, being a Constitutional Amendment, failed to be concurred in as follows:

Ayes: Aklestad, Brown, Hager, Kolstad, Stimatz, Williams.
Total 6

Noes: Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 42

Excused: Farrell.
Total 1

Absent or not voting: Goodover.
Total 1

At the request of Senator Bengtson, and without objection, Senator Bengtson's vote on HB 106 be recorded as no.

At the request of Senator Halligan, and without objection, Senator Halligan's vote on HB 106 be recorded as no.

HB 144 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: Severson.
Total 1

HB 194 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Shaw, Story.
Total 2

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

HB 316 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Regan.
Total 1

Excused: Farrell.
Total 1

Absent or not voting: Stephens.
Total 1

HB 107, Governor's amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: Shaw.
Total 1

Senator Farrell present at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Goodover in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 171 - That SB 171 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 204 - That SB 204, second reading copy, be amended as follows:

1. Page 3.
Following: line 2
Insert: "(4) The tax authorization provided by this section shall not apply to properties within incorporated cities and towns."

Amendment failed as follows:

Ayes: Christiaens, Daniels, Farrell, Goodover, Haffey, Hager, Halligan, Jacobson, Keating, Lynch, McCallum, Mohar, Pinsoneault, Regan, Stephens, Thayer, Towe, Van Valkenburg.
Total 18

Noes: Aklestad, Bengtson, Blaylock, Brown, Crippen, Eck, Fuller, Gage, Galt, Hammond, Harding, Himsl, Hirsch, Lane, Mazurek, Shaw, Smith, Tveit, Weeding, Yellowtail.
Total 20

Excused: None.
Total 0

Absent or not voting: Anderson, Boylan, Conover, Kolstad, Lybeck, Manning, Neuman, Severson, Stimatz, Story, Williams, Mr. President.
Total 12

That SB 204 do pass. Motion carried as follows:

Ayes: Aklestad, Bengtson, Blaylock, Brown, Crippen, Eck, Fuller, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Lane, Mazurek, McCallum, Regan, Smith, Stephens, Tveit, Weeding, Yellowtail, Mr. President.
Total 24

Noes: Christiaens, Daniels, Farrell, Haffey, Hirsch, Jacobson, Keating, Lynch, Manning, Mohar, Neuman, Pinsoneault, Severson, Shaw, Story, Thayer, Towe, Van Valkenburg.
Total 18

Excused: None.
Total 0

Absent or not voting: Anderson, Boylan, Conover, Halligan, Kolstad, Lybeck, Stimatz, Williams.
Total 8

SB 205 - That SB 205 do pass. Motion carried as follows:

Ayes: Blaylock, Christiaens, Eck, Farrell, Fuller, Gage, Galt, Halligan, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Thayer, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 27

Noes: Aklestad, Brown, Crippen, Goodover, Hager, Hammond, Hirsch, McCallum, Shaw, Smith, Stephens, Story, Tveit.
Total 13

Excused: None.
Total 0

Absent or not voting: Anderson, Bengtson, Boylan, Conover, Daniels, Haffey, Lybeck, Severson, Stimatz, Williams.
Total 10

SB 244 - That SB 244 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 250 - That SB 250, second reading copy, be amended as follows:

1. Page 5, line 3.
Following: "chapter."
Insert: "[The real estate recovery account is statutorily appropriated as provided in [section 2 of HB 12].]"

2. Page 5, line 11.
Following: "and"
Strike: "renewal"
Insert: "additional"

3. Page 5, line 18.
Following: "If"
Strike: "on June 30 of any year, beginning in 1986,"
Insert: "at any time"

4. Page 5, line 20.
Following: "chapter"
Strike: "shall"
Insert: "may be assessed a sum"

5. Page 5.
Following: line 20
Strike: "when renewing his license, pay a sum not to exceed $35 in addition to the annual renewal fee,"

6. Page 6, lines 8 and 9.
Following: "[section 6],"
Strike: "in the court in which the judgment was entered"
Insert: "with the board"

7. Page 7.

Following: line 21
Insert: "of execution and proceedings in aid of execution"

8. Page 7, line 22.
Following: "other"
Strike: "persons liable to him in"
Insert: "person against whom he has a judgment as a result of"

9. Page 7, line 25.
Following: "The"
Strike: "board may move the court"
Insert: "licensee may request the board"

10. Page 8, line 11.
Following: line 10 "the"
Strike: "court"
Insert: "board"

11. Page 8, line 12.
Following: "party, the"
Strike: "court shall"
Insert: "board may"

12. Page 8, line 14.
Following: "as the"
Strike: "court"
Insert: "board"

13. Page 8, line 16.
Following: "hearing the"
Strike: "court"
Insert: "board"

14. Page 8, line 19.
Following: "the"
Strike: "board"
Insert: "licensee"

15. Page 8, line 21.
Following: line 20 "the"
Strike: "court"
Insert: "board"

16. Page 8, line 22.
Following: "account, the"
Strike: "court"
Insert: "board"

17. Page 8, line 23.
Following: "order"
Strike: "directed to the board"

18. Page 8, line 25.
Following: "through"
Strike: "15"
Insert: "14"

19. Page 9, line 1.
Following: "may"
Strike: ", subject to court approval, compromise and"

20. Page 9, line 2.
Following: "pay"

Insert: "all or"
Following: "any"
Strike: "application"
Insert: "part of a claim"

21. Page 9, line 7.
Following: "one licensee"
Strike: remainder of line 7 through "[section 11]" on line 8

22. Page 9, line 15.
Following: "as the"
Strike: "court"
Insert: "board"

23. Page 9, line 22.
Following: "petition of"
Strike: "the board"
Insert: "any person"
Following: "board, the"
Strike: "court"
Insert: "board"

24. Page 10, line 4.
Following: "licensee"
Strike: remainder of line 4 through "[section 11]" on line 5

25. Page 10, line 6.
Following: "the"
Strike: "court"
Insert: "board"

26. Page 10.
Following: line 6
Strike: section 11 in its entirety
Renumber: subsequent sections

27. Page 11, line 5.
Following: "under ["
Strike: "sections 11 and 14"
Insert: "section 13"

28. Page 11, line 7.
Following: "through"
Strike: "15"
Insert: "14"

29. Page 11, line 19.
Following: "through"
Strike: "15"
Insert: "14"

30. Page 12, line 18.
Following: "through"
Strike: "15"
Insert: "14"

31. Page 12, line 20.
Following: "through"
Strike: "15"
Insert: "14"

32. Page 12.
Following: line 24

Insert: "NEW SECTION. Section 20. Coordination instruction. If this act and HB 12 are both passed and approved, a citation to section 3 of this act is added to the list of statutory citations in section 2 of HB 12. If HB 12 is not passed and approved, the bracketed language in section 3 of this act is void."

Renumber: subsequent section

Amendment passed as follows:

Ayes: Aklestad, Bengtson, Blaylock, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Thayer, Towe, Van Valkenburg, Yellowtail.
Total 38

Noes: Boylan, Goodover.
Total 2

Excused: None.
Total 0

Absent or not voting: Anderson, Conover, Lybeck, Lynch, Stimatz, Story, Tveit, Weeding, Williams, Mr. President.
Total 10

That SB 250, as amended, do pass. Motion carried as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Haffey, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 36

Noes: Aklestad, Anderson, Boylan, Gage, Goodover, Hager, Hirsch, Lane, Severson, Smith, Stephens, Tveit.
Total 12

Excused: None.
Total 0

Absent or not voting: Kolstad, Shaw.
Total 2

SB 259 - That SB 259 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 263 - That SB 263 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 265 - That SB 265 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 276 - That SB 276 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 278 - That SB 278 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 283 - That SB 283 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 292 - That SB 292 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 300 - That SB 300 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith,

Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 301 - That SB 301 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 327 - That SB 327 do pass. At the request of Senator Brown, and without objection, SB 327 be moved to the bottom of the board.

SB 344 - That SB 344 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 373 - That SB 373 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith,

Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 6 - That SJR 6 do pass. Motion carried as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 27

Noes: Aklestad, Anderson, Boylan, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Neuman, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 23

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 14 - That SJR 14 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 18 - That SJR 18 do pass. Motion carried as follows:

Ayes: Anderson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Fuller, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stimatz, Towe, Yellowtail, Mr. President.
Total 30

Noes: Aklestad, Bengtson, Boylan, Farrell, Gage, Galt, Goodover, Hager, Hammond, Keating, Neuman, Stephens, Thayer, Tveit, Weeding.
Total 15

Excused: None.

Total 0

Absent or not voting: Daniels, Shaw, Story, Van Valkenburg, Williams.
Total 5

SJR 19 - That SJR 19 do pass. Motion failed as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 24

Noes: Aklestad, Anderson, Boylan, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 24

Excused: None.
Total 0

Absent or not voting: Hirsch, Williams.
Total 2

Senator Stephens moved that SJR 19 be indefinitely postponed. Motion failed as follows:

Ayes: Aklestad, Anderson, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Keating, Kolstad, McCallum, Neuman, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams.
Total 24

Noes: Bengtson, Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 26

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Kolstad in the Chair.

HB 154 - That HB 154 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.

Total 0

Senator Goodover in the Chair.

HB 176 - That HB 176 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 317 - That HB 317, third reading copy, be amended as follows:

1. Page 1, line 12.
Following: "~~profit,~~"
Insert: "wild animals,"

Senator Severson made a substitute motion that consideration on HB 317 be passed for the day. Substitute motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 327 - That SB 327, second reading copy, be amended as follows:

1. Title, line 10.
Following: "~~PRIMA FACIE~~"
Insert: "PRIMA FACIE"

2. Title, line 11.
Strike: "ACCOUNTABLE"
Insert: "RESPONSIBLE"

3. Page 3, line 21.
Following: "~~violation~~"
Insert: "prima facie the driver of the vehicle at the time of the alleged violation."

4. Page 3, lines 21 through 23.
Strike: remainder of line 21 through line 23

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 42

Noes: Christiaens, Farrell, Neuman, Severson, Smith, Tveit.
Total 6

Excused: None.
Total 0

Absent or not voting: Boylan, McCallum.
Total 2

That SB 327, as amended, do pass. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Haffey, Hager, Hammond, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Shaw, Stimatz, Story, Thayer, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 35

Noes: Aklestad, Christiaens, Farrell, Goodover, Halligan, Harding, Keating, Kolstad, Neuman, Smith, Stephens, Towe, Tveit, Mr. President.
Total 14

Excused: None.
Total 0

Absent or not voting: McCallum.
Total 1

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair.

SB 344 - Senator Neuman moved that SB 344 be segregated from the Committee of the Whole report and placed on second reading. Motion carried unanimously.

Chairman Goodover moved the adoption of the committee report, as amended. Report adopted.

At the request of Senator Severson, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Severson moved that HB 317 be taken from second reading and that it be rereferred to the Committee on Taxation. Motion carried unanimously.

Senator Van Valkenburg moved that the Senate adjourn until 2:30 p.m., February 19, 1985.

Motion carried.

Senate adjourned at 5:58 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

THIRTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
February 19, 1985

Senate Chambers
State Capitol

Senate convened at 2:34 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Galt, Haffey, Lane, Neuman, Yellowtail, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the thirty-sixth legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 2/19/85
Correctly printed and placed on the members' desks: SB 55, SB 210, SB 274, SB 275, SB 294, SB 321, SB 323, SB 328, SJR 15.
Correctly engrossed: SB 250, SB 327.
Considered correctly engrossed: SB 171, SB 204, SB 205, SB 244, SB 259, SB 263, SB 265, SB 276, SB 278, SB 283, SB 292, SB 300, SB 301, SB 373, SJR 6, SJR 14, SJR 18.

Report adopted.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Boylan, Chairman): 2/18/85

SB 407, do pass. Report adopted.
HB 349, be concurred in. Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 2/19/85
SB 408, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Blaylock, Chairman): 2/18/85

SB 316, introduced bill, be amended as follows:

1. Page 2, line 9 and 10.
Strike: "at least 51%"
Insert: "a majority"

2. Page 2, line 10.
Following: "area"
Insert: "voting on the question"

And, as amended, do pass. Report adopted.

SB 319, introduced bill, be amended as follows:

1. Page 10, line 2.
Following: "trustees"
Insert: "of a school district or the governing authority of an institution"

2. Page 10, line 8.
Following: "trustees"
Insert: "of a school district or the governing authority of an institution"

3. Page 10, line 10.

Following: "trustees"
Insert: "of a school district or the governing authority of an institution"

4. Page 11, line 4.
Following: "district"
Insert: "or the governing authority of an institution"

5. Page 11, line 5.
Following: "trustees"
Insert: "of a school district or the governing authority of an institution"

6. Page 11, line 7.
Following: "trustees"
Insert: "of a school district or the governing authority of an institution"

7. Page 11, line 25.
Following: "trustees"
Insert: "of a school district or the governing authority of an institution"

And, as amended, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
SB 319

A statement of intent is required for this bill because it delegates rulemaking authority to the superintendent of public instruction. In preparing instructional and training material to be given to a person appointed as a surrogate parent, the superintendent should look to the material used in the state of Connecticut, which developed the surrogate parent concept. The superintendent should tailor the material to carefully delineate the procedure used in Montana for evaluating and placing handicapped children and devising educational programs for them. The material should specifically delineate the role of the surrogate in working with the child study team as early as possible.

Rules adopted by the superintendent concerning reimbursement of the surrogate parent should be aimed at fully reimbursing the surrogate while not creating a financial hardship to the school district. The rules should be such that people will not be financially discouraged from accepting appointment as a surrogate parent.

NATURAL RESOURCES (Eck, Chairman): 2/18/85

SB 326, introduced bill, be amended as follows:

1. Title, line 5.
Following: "IS"
Insert: "OR HAS THE CONSENT OF THE"

2. Page 1, line 13.
Following: "has"
Insert: "either"

3. Page 1, line 14.
Following: "works"
Insert: "or the written consent of the person with those property rights"

And, as amended, do pass. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman): 2/18/85

SB 287, introduced bill, be amended as follows:

1. Title.
Following: line 5
Strike: "LONG-TERM CARE"
Insert: "LICENSED"

2. Page 2, line 7.
Following: "(4)"
Strike: remainder of line 7
Insert: "The"

3. Page 2, lines 10 and 11.
Following: "once" in line 10
Strike: remainder of line 10 through "inspection" in line 11
Insert: "during each calendar year without prior notice to the operator or staff of the facility"

4. Page 2, lines 15 through 20.
Strike: subsection (5) in its entirety

And, as amended, do pass. Report adopted.

SB 314, do pass. Report adopted. 2/16/85
SB 342, introduced bill, be amended as follows: 2/18/85

1. Page 5, line 20.
Following: "~~apprentice~~"
Strike: "(1)"

2. Page 6.
Following: line 1
Strike: subsection (2) in its entirety

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 2/18/85
SB 361, introduced bill, be amended as follows:

1. Page 1, line 24.
Following: "$45 Y^2/A"
Insert: "; however, no allowance may be increased by more than $3 per year of service or less than $1 per year of service"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The House, on 2/16/85, acceded to the request of the Senate and authorized the Speaker to appoint a conference committee to meet with a like committee from the Senate to confer on House Amendments to SJR 9.

The Speaker appointed the following members:

Representative Marks, Chairman
Representative Menahan
Representative Miller
Representative Bradley

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 447, introduced by Manning, McCormick, (By Request of the Department of Labor and Industry). Referred to Committee on Labor and Employment Relations.

SB 448, introduced by Lybeck, Connelly, Brandewie, Manning, Hirsch, Harp. Referred to Committee on Local Government.

SB 449, introduced by Regan, Jacobson, Eck, Bengtson, Harding. Referred to Committee on Judiciary.

SJR 24, introduced by Stephens, Himsl, Kolstad, McCallum, Crippen. Referred to Committee on Taxation.

SJR 25, introduced by Towe, Van Valkenburg, Stephens, Crippen, Kolstad, Keating, Regan, Eck, Christiaens, Norman, Mazurek, Weeding, B. Brown, Bengtson, Mohar, Hager, Gage, Anderson, Severson, Thayer, Marks, Fuller, Conover, Halligan, Lane, Haffey, Yellowtail, Manning, Galt, Boylan, Blaylock, Daniels, H. Hammond, Lybeck, Stimatz, Hirsch, Jacobson, McCallum, Harding, Pinsoneault. Referred to Committee on Legislative Administration.

The following House bills were introduced, read first time, and referred to committees:

HB 85, introduced by Lory. Referred to Committee on Business and Industry.

HB 238, introduced by Connelly, Peck, Bachini, McCormick, (By Request of the Department of Justice, Motor Vehicle Division). Referred to Committee on Highways and Transportation.

HB 406, introduced by Ream, (By Request of the Department of Fish, Wildlife, and Parks). Referred to Committee on Fish and Game.

HB 475, introduced by Manuel, Peck. Referred to Committee on Business and Industry.

HB 487, introduced by Wallin, Winslow, Asay, Hayne, Ramirez, J. Moore, Towe, Christiaens, Neuman, Donaldson, Jacobson, Keyser, Stephens, Miller, Darko, Sales, Schultz, Marks, Eck, Keating, Hansen, Schye, (By Request of the Health Facility Authority). Referred to Committee on Public Health, Welfare and Safety.

HB 517, introduced by Hansen, Keenan, Kadas, J. Brown, Spaeth, Darko. Referred to Committee on Judiciary.

HB 530, introduced by C. Smith, Jones, Ellison, Peterson, Gilbert, Harp, Lynch, Rapp-Svrcek, Driscoll, Lory, Eudaily, Connelly, (By Request of the Department of Highways). Referred to Committee on Highways and Transportation.

HB 573, introduced by Peterson, (By Request of the Department of Justice, Division of Motor Vehicles). Referred to Committee on Highways and Transportation.

HB 574, introduced by Thomas, Quilici, (By Request of the Montana Public Service Commission). Referred to Committee on Business and Industry.

HB 576, introduced by Fritz, Connelly, Cohen, J. Hammond, Peterson, Nelson. Referred to Committee on State Administration.

HB 519, introduced by Sales. Referred to Committee on Local Government.

HB 580, introduced by Darko, Schye, Peterson, Mohar, J. Moore, Halligan. Referred to Committee on Taxation.

HB 581, introduced by Wallin, Ellison. Referred to Committee on Fish and Game.

HB 586, introduced by Gould, Campbell, (By Request of the Department of Institutions). Referred to Committee on Judiciary.

HB 587, introduced by Gould, Campbell, (By Request of the Department of Institutions). Referred to Committee on Judiciary.

HB 588, introduced by Gould, Campbell, (By Request of the Department of Institutions). Referred to Committee on Public Health, Welfare and Safety.

HB 595, introduced by Bradley. Referred to Committee on Public Health, Welfare and Safety.

HB 601, introduced by Thoft, Grady, Cobb. Referred to Committee on State Administration.

HB 618, introduced by Sands. Referred to Committee on Business and Industry.

HB 620, introduced by Bradley, Ramirez, Hannah, Mazurek, Van Valkenburg, D. Brown, Driscoll, Spaeth, Addy, Marks. Referred to Committee on Judiciary.

HB 629, introduced by Pavlovich, Driscoll, D. Brown. Referred to Committee on State Administration.

HB 692, introduced by J. Moore. Referred to Committee on Fish and Game.

HB 695, introduced by Asay. Referred to Committee on Natural Resources.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 109 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: None.
Total 0

SB 130 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: None.
Total 0

SB 272 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: None.
Total 0

SB 273 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: None.
Total 0

SB 282 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 44

Noes: Hirsch.
Total 1

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: None.
Total 0

SB 296 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: None.
Total 0

SB 315 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Mr. President.
Total 42

Noes: Aklestad, Shaw, Tveit.
Total 3

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: None.
Total 0

SB 331 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 44

Noes: None.
Total 0

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: Shaw.
Total 1

SB 350 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 44

Noes: None.
Total 0

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: Severson.

Total 1

HB 141 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 43

Noes: Hager, Towe.
Total 2

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: None.
Total 0

HB 233 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 44

Noes: None.
Total 0

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: Daniels.
Total 1

HJR 17 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Boylan in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 108 - That SB 108 do pass. Motion failed as follows:

Ayes: Anderson, Blaylock, Daniels, Farrell, Gage, Hager, Hirsch, Keating, Lybeck, Pinsoneault, Shaw, Stimatz, Weeding, Williams.
Total 14

Noes: Aklestad, Bengtson, Brown, Christiaens, Conover, Crippen, Eck, Fuller, Goodover, Halligan, Hammond, Harding, Himsl, Jacobson, Kolstad, Lynch, Manning, Mazurek, McCallum, Mohar, Regan, Severson, Smith, Stephens, Story, Thayer, Towe, Tveit, Mr. President.
Total 29

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: Boylan, Van Valkenburg.
Total 2

SB 108 - Senator Lynch moved that SB 108 be indefinitely postponed. Motion carried as follows:

Ayes: Aklestad, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Fuller, Goodover, Halligan, Hammond, Himsl, Jacobson, Kolstad, Lynch, Manning, Mazurek, McCallum, Mohar, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Mr. President.
Total 31

Noes: Anderson, Blaylock, Daniels, Farrell, Gage, Hager, Hirsch, Keating, Lybeck, Pinsoneault, Shaw, Williams.
Total 12

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: Harding, Van Valkenburg.
Total 2

SB 247 - That SB 247 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Hager, Halligan, Harding, Jacobson, Keating, Kolstad, Lybeck, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Williams, Mr. President.
Total 33

Noes: Blaylock, Brown, Goodover, Hammond, Himsl, Regan, Severson, Thayer, Weeding.
Total 9

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: Fuller, Hirsch, Lynch.

Total 3

SB 269 - That SB 269 do pass. Motion failed as follows:

Ayes: Blaylock, Boylan, Brown, Crippen, Daniels, Eck, Farrell, Fuller, Hager, Jacobson, Kolstad, Lybeck, Lynch, Manning, Mazurek, Regan, Severson, Stephens, Towe, Weeding.
Total 20

Noes: Aklestad, Anderson, Bengtson, Christiaens, Conover, Gage, Goodover, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Mohar, Pinsoneault, Shaw, Smith, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Williams, Mr. President.
Total 24

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: McCallum.
Total 1

Senator Van Valkenburg moved that SB 269 be indefinitely postponed. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Christiaens, Conover, Daniels, Eck, Gage, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Pinsoneault, Regan, Shaw, Smith, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 29

Noes: Blaylock, Brown, Crippen, Farrell, Fuller, Jacobson, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Severson, Stephens, Towe.
Total 16

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: None.
Total 0

SB 271 - Senator Blaylock moved that consideration on SB 271 be passed. Motion carried unanimously.

SB 306 - At the request of Senator Van Valkenburg and without objection, consideration on SB 306 be passed.

SB 310 - That SB 310, second reading copy, be amended as follows:

1. Page 2, line 1.
Following: "~~or~~"
Insert: "or"

2. Page 2, line 2.
Following: "home"
Strike: "; OR"
Insert: "."

3. Page 2, line 3.
Strike: subsection (5) in its entirety

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage,

Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: None.
Total 0

That SB 310, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: None.
Total 0

SB 313 - That SB 313, being a Constitutional Amendment, do pass. Motion failed as follows:

Ayes: Aklestad, Anderson, Boylan, Daniels, Gage, Hammond, Harding, Hirsch, Kolstad, McCallum, Mohar, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Tveit, Weeding, Williams.
Total 20

Noes: Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Goodover, Hager, Halligan, Himsl, Jacobson, Keating, Lybeck, Lynch, Manning, Mazurek, Regan, Stimatz, Thayer, Towe, Van Valkenburg, Mr. President.
Total 25

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: None.
Total 0

SB 320 - That SB 320 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: None.
Total 0

SB 333 - That SB 333 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: None.
Total 0

SB 344 - That SB 344, statement of intent, second reading copy, be amended as follows:

1. Strike: the statement of intent in its entirety

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: None.
Total 0

That SB 344, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: None.
Total 0

SB 357 - That SB 357 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: None.
Total 0

SB 359 - At the request of Senator Christiaens and without objection, consideration on SB 359 be passed.

SJR 16 - At the request of Senator Christiaens and without objection, consideration on SJR 16 be passed.

SB 399 - That SB 399 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: None.
Total 0

SJR 19 - At the request of Senator Van Valkenburg and without objection, consideration on SJR 19 be passed until the 40th legislative day, 2/21/85.

HB 23 - That HB 23 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 45

Noes: None.

Total 0

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: None.
Total 0

HB 70 - That HB 70 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Mazurek, McCallum, Mohar, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 42

Noes: Blaylock, Manning, Regan.
Total 3

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: None.
Total 0

HB 140 - That HB 140 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: None.
Total 0

HB 267 - That HB 267 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: None.
Total 0

HB 297 - That HB 297 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: None.
Total 0

HB 459 - That HB 459 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Galt, Haffey, Lane, Neuman, Yellowtail.
Total 5

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Boylan moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

AGRICULTURE, LIVESTOCK AND IRRIGATION (Boylan, Chairman):
2/18/85

SB 345, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
SB 345

It is the intent of the legislature that the department of agriculture adopt rules to establish enforceable standards for the safe storage and handling of anhydrous ammonia. In adopting these rules, the department shall demonstrate strong consideration of the safety standards for the storage and handling of anhydrous ammonia published by the American national standards institute, a private, nationally recognized institute with expertise in matters pertaining to industrial safety and design standards. It is the intent

of the legislature that the department of agriculture adopt other rules necessary to administer the provisions of this act.

MOTIONS

Senator Blaylock moved that SB 271 be taken from second reading and that it be rereferred to the Committee on Finance and Claims. Motion carried unanimously.

Senator Van Valkenburg moved that the Senate adjourn until 2:30 p.m., February 20, 1985.

Motion carried.

Senate adjourned at 4:55 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

THIRTY-NINTH LEGISLATIVE DAY

Helena, Montana
February 20, 1985

Senate Chambers
State Capitol

Senate convened at 2:30 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Neuman, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the thirty-seventh and thirty-eighth legislative days, find the same to be correct.

Manning, Chairman

COMMUNICATIONS AND PETITIONS

SECRETARY OF STATE
STATE OF MONTANA

UNITED STATES OF AMERICA)
) ss
State of Montana)

I, JIM WALTERMIRE, Secretary of State of the State of Montana, do hereby certify that on Friday, February 8, 1985, I filed the Official Appointment, made by the County Commissioners on February 6, 1985, of CECIL WEEDING of Jordon, Montana to fill the vacancy in Senate District No. 14 created by the resignation of Senator Dave Manning on January 25, 1985.

I further certify that on February 7, 1985 CECIL WEEDING duly filed his required Oath of Office and therefore, according to the records filed in my office, is the State Senator, Senatorial District No. 14 for the Montana Legislature.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Montana, at Helena, the Capital, this 19th day of February, 1985.

JIM WALTERMIRE
Secretary of State

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 2/20/85
Correctly printed and placed on the members' desks: SB 287, SB 314, SB 316, SB 319, SB 326, SB 342, SB 345, SB 361, SB 407, SB 408.
Correctly engrossed: SB 310, SB 344.
Considered correctly engrossed: SB 247, SB 313, SB 320, SB 333, SB 357, SB 399.
Signed by the President at 1:00 p.m., 2/20/85: HB 27, HB 30, HB 81, HB 350.

Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 2/20/85
SB 363, introduced bill, be amended as follows:

1. Page 3, lines 17 and 18.
Strike: line 17 through "arrangement" on line 18

2. Page 4, line 25.
Strike: "subsection"
Insert: "subsections"

3. Page 6, line 20.
Following: "retailer's"
Insert: "or wholesaler's"

And, as amended, do pass. Report adopted.

SB 380, introduced bill, be amended as follows:

1. Title, line 8.
Following: "THE"
Insert: "DESIGNATION OF STATE LAND OF THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS AND"
Strike: "A DONATION OF 1 ACRE"
Insert: "DONATIONS"

2. Title, line 9.
Following: "FROM"
Strike: "A"
Following: "PRIVATE"
Strike: "DONOR"
Insert: "DONORS"

3. Page 1, line 18.
Following: "through"
Insert: "designation or"
Strike: "1 acre of"

4. Page 2.
Following: line 3
Insert: "(3) "Centennial acre" means one or more separate parcels of land of about 1 acre located in Montana that are acquired by donation from a private source or designated land owned by the state. If there is more than one centennial acre, each separate parcel is to be designated by the office as a particular centennial acre, such as "the agricultural centennial acre" or "the mountain centennial acre"."

5. Page 2, line 4.
Strike: "Donation"
Insert: "Source"

6. Page 2, line 5.
Following: "(1)"
Insert: "(a) The department may designate 1 or more acres of land to which it has title as a centennial acre.

(b)"

7. Page 2, line 6.
Following: "to 1"
Strike: "acre"
Insert: "or more acres"

8. Page 2, line 8.
Following: "with"
Strike: "the"
Insert: "each"

9. Page 2, lines 9 and 10.

Strike: "The acre of land shall be known as the centennial acre. The"
Insert: "A"

10. Page 2, line 12.
Following: "land."
Strike: "The"
Insert: "A"

And, as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Blaylock, Chairman): 2/20/85

SB 397, do pass. Report adopted.

FISH AND GAME (Conover, Chairman): 2/19/85

SB 302, introduced bill, be amended as follows:

1. Title, lines 4 and 5.
Following: "ACT"
Strike: remainder of line 4 through "MCA," on line 5

2. Title, line 6.
Following: "RIGHT-OF-WAY"
Insert: "; AMENDING SECTIONS 61-8-369 AND 87-3-101, MCA"

3. Page 1.
Following: line 13
Insert: "Section 2. Section 87-3-101, MCA, is amended to read:

"87-3-101. General restrictions. It is unlawful for anyone to take, capture, shoot, kill, or attempt to take, capture, shoot, or kill any game animal or game bird:

(1) from any self-propelled or drawn vehicle ~~or~~;

(2) on ~~or~~, from, or across any public highway or the shoulder, berm, or borrow-pit right-of-way of any public highway, as defined in 61-1-201, in the state of Montana; or

(3) by the aid or with the use of any set gun, jacklight or other artificial light, trap, snare, or salt lick; nor may any such set gun, jacklight or other artificial light, trap, snare, salt lick, or other device to entrap or entice game animals or game birds be used, made, or set.""

And, as amended, do pass. Report adopted.

SB 371, introduced bill, be amended as follows:

1. Page 2, line 8.
Strike: "must"
Insert: "may"
Following: "institutions,"
Insert: "government agencies,"

2. Page 2, line 9.
Following: "studies"
Insert: ", as approved by the commission. If approved under federal law, parts may be sold at public auction if, after approval by the commission, a reasonable attempt has been made to dispose of the parts"

And, as amended, do pass. Report adopted.

JUDICIARY (Mazurek, Chairman): 2/18/85

SB 200, introduced bill, be amended as follows:

1. Title, lines 6 and 7.
Following: "DATE" on line 6
Strike: remainder of line 6 through "DATE" on line 7

2. Page 1, line 11.
Following: "(1)"
Insert: "(a)"

3. Page 1, line 17.
Strike: subsection (2) in its entirety
Insert: "(b) An award of exemplary damages must be supported by clear and convincing evidence that the defendant has been guilty of oppression, fraud, or malice, actual or presumed. Presumed malice exists when a person knows of facts which create a high degree of risk of harm to the substantial interests of another, and either deliberately proceeds to act in conscious disregard of or indifference to that risk, or recklessly proceeds in unreasonable disregard of or in indifference to that risk.

(2) If a plaintiff sought exemplary damages at trial, but such damages were not awarded, the court shall submit to the jury a question concerning whether the jury found in the evidence presented any basis in fact for seeking exemplary damages. If no jury has been impaneled, the court shall make a separate finding on the question. If the response to the question is negative, the court may, in its discretion, assess damages against the plaintiff in an amount not to exceed what is determined by the court to be reasonable attorney fees of the defendant incurred in defense of such claim."

4. Page 2, lines 6 and 7.
Strike: section 4 in its entirety

And, as amended, do pass. Report adopted.

SB 322, introduced bill, be amended as follows: 2/19/85

1. Page 1, line 16.
Following: "party"
Insert: "or his agent"

2. Page 1, line 20.
Following: "to"
Insert: "future"
Following: "damages"
Insert: "until such damages are incurred and damages"

3. Page 1, line 24.
Following: "suffering;"
Strike: "and"

4. Page 1, line 25.
Following: "(d)"
Insert: "exemplary or"
Following: "damages"
Strike: "."
Insert: ";

(e) loss of established way of life;

(f) loss of consortium; and

(g) attorney fees.

(3) The jury is to be advised by the court that the court will determine the amount of prejudgment interest due, if any, on any judgment rendered.

(4) Any payment by a party of any claim or interest thereon as set forth in subsection (1) shall not be an admission of liability and shall not be made known to the jury."

And, as amended, do pass. Report adopted.

SB 332, introduced bill, be amended as follows:

1. Page 2.
Following: line 17
Insert: "(3) Library records may be disclosed to the extent necessary to return overdue or stolen materials or collect fines."

And, as amended, do pass. Report adopted.

SB 406, introduced bill, be amended as follows:

1. Title, line 10.
Following: "44-2-111,"
Insert: "44-3-104 THROUGH"

2. Page 3.
Following: line 11
Insert: "Section 6. Section 44-3-104, MCA, is amended to read:

"44-3-104. Functions of ~~division~~ department. The forensics functions of the ~~division~~ department of justice include operation of:

(1) a laboratory of criminalistics; and

(2) an office of forensic pathology."

Section 7. Section 44-3-105, MCA, is amended to read:

"44-3-105. Authority to accept grants. The ~~division of forensic science~~ department of justice is authorized to accept federal and other moneys which may be made available to accomplish the purposes of this chapter.""
Renumber: subsequent sections

3. Page 4, line 21.
Following: "the"
Strike: "division"
Insert: "department"

4. Page 5, line 10.
Following: "this"
Strike: "chapter"
Insert: "title, unless otherwise provided,"

5. Page 5, line 18.
Strike: "chapter"
Insert: "title"

6. Page 6.
Following: line 5
Insert: "NEW SECTION. Section 14. Code commissioner instructions. (1) Wherever the terms "division of motor vehicles", "motor vehicle division", or "division" meaning division of motor vehicles appear in legislation enacted in the 49th legislative session, the code

commissioner is instructed to change the term to "department of justice" or "department" meaning the department of justice.

(2) Wherever the terms "bureau of criminal investigation" or "bureau" meaning the bureau of criminal investigation appear in legislation enacted by the 49th legislative session, the code commissioner is instructed to change the term to "department of justice" or "department" meaning the department of justice.

(3) Wherever the terms "fire marshal bureau" or "bureau" meaning the fire marshal bureau appear in legislation enacted by the 49th legislative session, the code commissioner is instructed to change the term to "department of justice" or "department" meaning the department of justice.

(4) Wherever the terms "division of forensic sciences" or "division" meaning the division of forensic sciences appears in legislation enacted by the 49th legislative session, the code commissioner is instructed to change the term to "department of justice" or "department" meaning the department of justice."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 2/20/85
SB 358, do pass. Report adopted.
SB 384, do pass. Report adopted.
SJR 23, do pass. Report adopted.

TAXATION (Towe, Chairman): 2/20/85
SB 72, do pass. Report adopted.

Adverse Committee Reports

EDUCATION AND CULTURAL RESOURCES (Blaylock, Chairman): 2/20/85
SB 305, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Galt, Goodover, Hager, Hammond, Keating, Shaw.
Total 6

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

STATE ADMINISTRATION (Haffey, Chairman): 2/20/85
SB 368, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Conover, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Mazurek, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.

Total 36

Noes: Bengtson, Christiaens, Eck, Fuller, Haffey, Halligan, Lynch, Mohar, Regan, Towe, Weeding.
Total 11

Excused: Neuman.
Total 1

Absent or not voting: Daniels, Manning.
Total 2

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 2/19/85

HB 235, introduced by Peck, et al.

HB 265, introduced by Ream, Marks

HB 276, introduced by Bradley, et al.

HB 331, introduced by Quilici, et al.

HB 341, introduced by Miller

HB 342, introduced by Lory

HB 360, introduced by J. Hammond, et al.

HB 362, introduced by Bardanouve, Marks

HB 380, introduced by Bradley, et al.

HB 414, introduced by Iverson, Aklestad

HB 471, introduced by J. Hammond, et al.

HB 474, introduced by Pavlovich, et al.

HB 480, introduced by Donaldson

HB 481, introduced by Brandewie, et al.

HB 483, introduced by Spaeth

HB 484, introduced by Peck, et al.

HB 522, introduced by Peck, Sands

HB 524, introduced by Addy

HB 526, introduced by Simon

HB 534, introduced by Hannah, Peck

HB 557, introduced by D. Brown

HB 566, introduced by Thomas

HB 570, introduced by Mercer, et al.

HB 598, introduced by Asay

HB 599, introduced by Asay

HB 606, introduced by Campbell, Wallin

HB 623, introduced by Wallin

HB 627, introduced by Keenan, et al.

HB 643, introduced by Thoft, et al.

HB 658, introduced by Ramirez, Spaeth

HB 662, introduced by Keyser, et al.

HB 673, introduced by Kadas

HB 718, introduced by Addy, et al.

HB 734, introduced by Grady, et al.

HB 759, introduced by Lory, et al.

HB 813, introduced by Schye, Darko

HB 816, introduced by M. Williams

HJR 30, introduced by Glaser, et al.

MOTIONS

Senator Van Valkenburg moved that SB 448 be taken from the Committee on Local Government and that it be rereferred to the Committee on Agriculture, Livestock and Irrigation. Motion carried unanimously.

Senator Van Valkenburg moved that SB 407 be placed on second reading this legislative day. Motion carried unanimously.

Senator Eck moved that SB 211 be taken from the Committee on Public Health, Welfare and Safety and that it be printed and placed on second reading. Motion failed as follows:

Ayes: Bengtson, Blaylock, Christiaens, Conover, Eck, Fuller, Hager, Halligan, Jacobson, Keating, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Shaw, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 25

Noes: Aklestad, Anderson, Boylan, Brown, Crippen, Daniels, Farrell, Gage, Galt, Goodover, Haffey, Hammond, Harding, Himsl, Hirsch, Kolstad, Lane, Lynch, McCallum, Severson, Smith, Stephens, Story, Tveit, Mr. President.
Total 25

Paired: Neuman, Aye; Lynch, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 450, introduced by Christiaens, Norman, Stephens, Thayer, Fuller. Referred to Committee on Business and Industry.

SB 451, introduced by Mazurek. Referred to Committee on Judiciary.

SB 452, introduced by Eck, Bardanouve, Cohen, Raney, Lory, Norman, Van Valkenburg, Hansen, Driscoll, Vincent, Blaylock, Harbin, D. Brown, Harper, Bradley. Referred to Committee on Labor and Employment Relations.

SB 453, introduced by Van Valkenburg, Mazurek. Referred to Committee on Judiciary.

SB 454, introduced by Fuller, Pinsoneault, Hirsch, Mohar, McCallum, Harding, Crippen, Eck, Regan, (By Request of the Senate Local Government Committee and the Department of Commerce). Referred to Committee on Local Government.

SB 455, introduced by Towe, (By Request of the Department of Revenue). Referred to Committee on Taxation.

SB 456, introduced by Pinsoneault, Van Valkenburg. Referred to Committee on Local Government.

SB 457, introduced by McCallum. Referred to Committee on State Administration.

SJR 26, introduced by Gage. Referred to Committee on Local Government.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 171 passed as follows:

Ayes: Aklestad, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: Anderson.
Total 1

SB 204 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Stephens, Stimatz, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 41

Noes: Christiaens, Galt, Shaw, Smith, Story, Thayer, Towe, Mr. President.
Total 8

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 205 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Halligan, Harding, Himsl, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Stimatz,

Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 37

Noes: Aklestad, Boylan, Goodover, Hager, Hammond, Hirsch, Kolstad, Shaw, Smith, Stephens, Story, Tveit.
Total 12

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 244 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 250 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Galt, Haffey, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 37

Noes: Aklestad, Boylan, Farrell, Gage, Hager, Hirsch, Lane, Severson, Shaw, Smith, Stephens, Tveit.
Total 12

Paired: Neuman, Aye; Gage, No.

Excused: None.
Total 0

Absent or not voting: Goodover.
Total 1

SB 259 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 47

Noes: Boylan, Kolstad.
Total 2

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 263 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Story.
Total 1

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 265 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 276 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Lybeck.
Total 1

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 278 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 283 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 292 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.

Total 0

SB 300 passed as follows:

Ayes: Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 40

Noes: Aklestad, Bengtson, Eck, Gage, Hammond, Hirsch, McCallum, Smith, Thayer.
Total 9

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 301 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 327 passed as follows:

Ayes: Anderson, Bengtson, Boylan, Brown, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Haffey, Hager, Halligan, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 36

Noes: Aklestad, Christiaens, Farrell, Goodover, Hammond, Harding, Keating, Smith, Thayer, Towe, Tveit, Mr. President.
Total 12

Excused: Neuman.
Total 1

Absent or not voting: Blaylock.
Total 1

SB 373 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SJR 6 passed as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 27

Noes: Aklestad, Anderson, Boylan, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 22

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SJR 14 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 41

Noes: Aklestad, Goodover, Hammond, Shaw, Smith, Stephens, Thayer, Tveit.
Total 8

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SJR 18 passed as follows:

Ayes: Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Haffey, Halligan, Himsl, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 33

Noes: Aklestad, Bengtson, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Hirsch, Keating, Kolstad, Shaw, Stephens, Thayer, Tveit.
Total 16

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

HB 154 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Hager, Pinsoneault, Thayer.
Total 3

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

HB 176 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: McCallum.
Total 1

Excused: Neuman.
Total 1

Absent or not voting: Lybeck.
Total 1

At the request of Senator Hammond, and without objection, Senator Hammond's vote on HB 154 be recorded as yes.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Mazurek in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 55 - That SB 55 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 210 - That SB 210, second reading copy, be amended as follows:

1. Page 4, lines 13 and 14.
Following: "road"
Strike: remainder of line 13 through "FUNDS" on line 14

2. Page 9, line 6.
Following: "Exemptions."
Strike: "This"
Insert: "The licensing provisions of this"
Strike: "does"
Insert: "do"

3. Page 10, line 19.
Following: "contractor"
Strike: "."
Insert: ";"

4. Page 10.
Following: line 19
Insert: "(9) a contractor who submits a bid or proposal for a contract, or a successful bidder prior to award of a contract to be let by the Montana highway commission and which involves federal aid."

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.

Total 0

That SB 210, as amended, do pass. Motion failed as follows:

Ayes: Blaylock, Boylan, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Stimatz, Thayer, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 23

Noes: Aklestad, Anderson, Bengtson, Brown, Christiaens, Crippen, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, McCallum, Regan, Severson, Shaw, Smith, Stephens, Story, Tveit, Weeding.
Total 25

Excused: Neuman.
Total 1

Absent or not voting: Farrell.
Total 1

Senator Crippen moved that SB 210 be indefinitely postponed. Motion carried as follows:

Ayes: Aklestad, Anderson, Brown, Christiaens, Crippen, Daniels, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, McCallum, Regan, Severson, Shaw, Smith, Stephens, Story, Tveit, Weeding, Mr. President.
Total 27

Noes: Bengtson, Blaylock, Boylan, Conover, Eck, Fuller, Haffey, Halligan, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Stimatz, Thayer, Towe, Van Valkenburg, Williams, Yellowtail.
Total 22

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 274 - That SB 274 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 275 - That SB 275, second reading copy, be amended as follows:

1. Page 2.

Following: line 24
Insert: "(6) "Public building" means any building which the state or any political subdivision thereof maintains for the use of the public."

2. Page 4, line 17.
Following: "~~as a~~"
Strike: "by the"
Insert: "as a"
Following: "~~building~~"
Insert: "building"

3. Page 4.
Following: line 20
Strike: "by the"
Insert: "as a"
Following: "~~building~~"
Insert: "building"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Farrell, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lynch, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Van Valkenburg, Weeding, Mr. President.
Total 32

Noes: Blaylock, Eck, Fuller, Haffey, Jacobson, Lybeck, Manning, Mazurek, Mohar, Pinsoneault, Regan, Towe, Williams, Yellowtail.
Total 14

Excused: Neuman.
Total 1

Absent or not voting: Daniels, Lane, Stimatz.
Total 3

That SB 275, as amended, do pass. Motion carried 26-18.

SB 294 - That SB 294, second reading copy, be amended as follows:

1. Page 1, line 14.
Following: "consent."
Insert: "A person may not be convicted under this section based on the age of his spouse as provided in 45-5-501(2)(c)."

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

That SB 294, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 306 - That SB 306 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 321 - That SB 321, second reading copy, be amended as follows:

1. Page 1, line 22.
Following: "may"
Strike: "not be admitted to bail unless"
Insert: "be denied bail if"

2. Page 1, line 23.
Following: "finds"
Strike: "by clear and convincing evidence"

3. Page 1, line 24.
Following: "is"
Strike: "not"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek,

McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

That SB 321, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 323 - That SB 323, second reading copy, be amended as follows:

1. Title, line 8.
Following: "AND"
Insert: "PROFESSIONAL"

2. Page 1, line 18.
Following: "and"
Insert: "professional"

3. Page 2, line 6.
Following: "two"
Strike: "registered"
Insert: "professional"

4. Page 3, line 5.
Following: "and"
Insert: "professional"

5. Page 3, line 15.
Following: "land,"
Insert: "skilled and"

6. Page 3, line 16.
Following: "the"
Strike: "basic"
Following: "of"
Strike: "mathematics,"
Insert: "mathematically"

7. Page 4, line 23.
Following: "work, the"
Strike: "adequate"

8. Page 4, line 24.
Following: "application of"
Insert: "special"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

That SB 323, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 328 - That SB 328 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 359 - That SB 359 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SJR 15 - That SJR 15 do pass. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Haffey, Halligan, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 33

Noes: Aklestad, Crippen, Gage, Galt, Goodover, Hager, Hammond, Harding, Kolstad, McCallum, Shaw, Smith, Stephens, Tveit.
Total 14

Excused: Neuman.
Total 1

Absent or not voting: Stimatz, Thayer.
Total 2

SJR 16 - That SJR 16, second reading copy, be amended as follows:

1. Page 2, line 18.
Following: "states"
Strike: "."
Insert: "; and"

2. Page 2.
Following: line 18
Insert: "WHEREAS, there are other Yellowstone River Basin tributaries for which similar considerations will arise in the near future."

3. Page 3.
Following: line 17
Insert: "(7) The respective Governors are encouraged to consider implementing similar basin management negotiation processes on other Yellowstone River Basin tributaries as need arises."
Renumber: subsequent subsection

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

That SJR 16, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 407 - That SB 407 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 275, as amended - At the request of Chairman Mazurek, and without objection, as a result of a machine malfunction, the votes on SB 275, as amended, be not spread upon the journal.

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the

Chair. Chairman Mazurek moved the adoption of the committee report. Report adopted.

Senator Van Valkenburg moved that the Senate adjourn until 2:30 p.m., February 21, 1985.

Motion carried.

Senate adjourned at 5:37 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

FORTIETH LEGISLATIVE DAY

Helena, Montana
February 21, 1985

Senate Chambers
State Capitol

Senate convened at 2:33 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Neuman, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the thirty-ninth legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 2/21/85

Correctly printed and placed on the members' desks: SB 72, SB 200, SB 302, SB 322, SB 332, SB 358, SB 363, SB 371, SB 380, SB 384, SB 397, SB 406, SJR 23.

Correctly engrossed: SB 275, SB 294, SB 321, SB 323, SJR 16.

Considered correctly engrossed: SB 55, SB 274, SB 306, SB 328, SB 359, SB 407, SJR 15.

Report adopted.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Boylan, Chairman): 2/20/85

SB 129, introduced bill, be amended as follows:

1. Title, lines 7 through 9.
Following: "COMPUTERS;" on line 7
Strike: "PROVIDING" on line 7 through "SYSTEM;" on line 9

2. Title, line 10.
Following: "30-9-403,"
Insert: "AND"

3. Title.
Following: line 10
Strike: "AND 45-6-315,"

4. Page 2, line 5.
Following: "[section"
Strike: "7"
Insert: "6"

5. Page 4, line 22.
Following: "obtaining a"
Strike: "printout"
Insert: "certificate"

6. Page 7, line 3.
Following: "provided in"
Strike: "subsection"
Insert: "subsections"
Following: "(6)"
Insert: "and (10)"

7. Page 11, line 7.
Following: "subsection (9)."

Insert: "The secretary of state shall deposit all fees he collects in the state treasury and the fee money is allocated to the secretary of state to pay the expenses of establishing and operating the computerized access system. The expenses to be paid by the secretary of state shall include the costs of maintaining the terminals and printout capability provided for in [section 6(2)] and the costs directly attributable to any technology used to link those terminals with the computerized access system described in subsection (9)."

8. Page 11, line 23.
Following: "statement."
Insert: "The secretary of state shall maintain adequate errors and omissions liability coverage to protect against input errors causing loss to a secured party.

(10) When a financing or continuation statement covers property described in subsection (8), its effectiveness lapses on July 1, 1986, unless prior to that date there is filed in the office of the secretary of state a certified copy of the statement on file with the county clerk and all related documents as provided in [section 7]."

9. Page 12, line 24.
Following: "If a "
Strike: "printout"
Insert: "certificate"

10. Page 13, line 1.
Following: "charged."
Insert: "If a certificate is made on a terminal provided for in [section 6(2)], only the fee provided for in 7-4-2631(1)(p) shall be charged."

11. Page 13, lines 2 through 25.
Strike: section 6 in its entirety
Renumber: subsequent section

12. Page 14, lines 16 through 18.
Following: "30-9-407." on line 16
Strike: remainder of line 16 through line 18
Insert: "The secretary of state shall provide for the installation of the technology and any equipment required to link the terminals in the offices of each county clerk and recorder with the computerized access system provided for in 30-9-403(9)."

13. Page 14, line 21.
Following: "recorder"
Strike: "on July 1, 1986"
Insert: "prior to July 1, 1985"

14. Page 14, line 24.
Following: "centrally filed"
Insert: "as provided in [section 7]"

15. Page 14.
Following: line 24 on page 14
Strike: sections 8 and 9 in their entirety
Insert: "NEW SECTION. Section 7. Implementation schedule — refiling of existing financing statements. (1) A financing or continuation statement covering property described in 30-9-403(8) filed after June 30, 1985, must be filed in the office of the secretary of state.

(2) A financing or continuation statement that covers property described in 30-9-403(8) and is filed and of record with a county clerk and recorder lapses as provided in 30-9-403(10).

(3) The refiling of a financing or continuation statement in the office of the secretary of state that covers property described in 30-9-403(8) is accomplished by:

(a) presenting a certified copy of the statement as filed and of record with the county clerk and recorder together with certified copies of all related documents, including all continuances, releases, assignments, or amendments;

(b) filing with the county clerk and recorder a notice that the statement and related documents have been filed in the office of the secretary of state; and

(c) tendering the filing fee.

(4) The secretary of state shall by administrative rule establish fees for filing and indexing documents as required by this section. The fees must be commensurate with the costs of processing the documents and establishing the computerized access system described in 39-9-403(9). The secretary of state shall deposit all fees he collects in the state treasury and the fee money is allocated to the secretary of state to pay the expenses of establishing and operating the computerized access system. The costs of establishing the computerized access system shall include the costs of acquisition and installation of the terminals, printout capability, and related technology described in [section 6(2)]."

Renumber: subsequent sections

16. Page 15, line 21.
Following: "Section"
Strike: "7"
Insert: "6"

17. Page 15, line 23.
Following: "section"
Strike: "7"
Insert: "6"

18. Page 15, line 25.
Following: "effective"
Strike: "July"
Insert: "October"

19. Page 16, line 1.
Following: "through"
Strike: "11"
Insert: "9"

And, as amended, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
SB 129

A statement of intent is required for this bill because it grants rulemaking authority to the secretary of state to set fees and prescribe the format for the centralized filing system. The legislature intends that the fee for filing a financing statement under 30-9-403(8) be set at an amount necessary to cover all the costs of the system, including the operation of the computer, maintenance of equipment installed in the counties and errors and omissions coverage made necessary by implementation of the system. The fee for a computer printout set pursuant to 30-9-407 should

recover the cost of the computer time, supplies, and postage. The fee for filing documents set pursuant to section 7 should recover all costs of establishing the system, including the cost of installing the computer equipment in the counties required by section 6. The rules governing the format for the system should provide for easy access through telephone interconnect. The data on the system should be essentially that contained on the financing statement, along with such other matters as the secretary of state considers necessary.

SB 378, do pass. Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 2/21/85

SB 349, introduced bill, be amended as follows:

1. Page 5, line 5.
Following: "17-5-1529"
Strike: "whose cost or appraised value"
Insert: "for which the financing to be provided by the board"

And, as amended, do pass. Report adopted.

SB 404, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
SB 404

A statement of intent is necessary for this bill because section 1 grants the board of realty regulation rulemaking authority to change the annual renewal and automatic cancellation dates for real estate brokers' and salesmen's licenses.

The department of commerce, bureau of business and professional licensing, of which the board of realty regulation is a part, is contemplating a reorganization to facilitate services to the public and to the professional licensees.

Toward that end, the reorganization contemplates the possibility of computerizing renewals of all licensees. Because most boards tend to renew by December 31 of each year, it is contemplated that this would create a tremendous workload at one time of the year and leave a comparative time of ease thereafter.

This bill is intended to allow the board to adopt by rule a change in that renewal and cancellation period to better balance the workload throughout the year.

EDUCATION AND CULTURAL RESOURCES (Blaylock, Chairman):

SB 382, introduced bill, be amended as follows: 2/20/85

1. Title, lines 7 through 9.
Following: "SESSION;"
Strike: lines 7 through "REQUEST;" on line 9

2. Page 8, line 24 through line 4 on page 9.
Strike: section 6 in its entirety

And, as amended, do pass. Report adopted.

SB 289, introduced bill, be amended as follows: 2/21/85

1. Title, line 5.
Following: "BY"
Strike: "A STATE AGENCY"
Insert: "THE BOARD OF PUBLIC EDUCATION"

2. Title.
Following: line 5
Strike: "NEW DUTIES"
Insert: "A SUBSTANTIAL FINANCIAL IMPACT"

3. Title, lines 7 and 8.
Following: "A" on line 7
Strike: "SPECIFIC"
Following: "THE" on line 7
Strike: the remainder of line 7 through "MCA" on line 8
Insert: "RULE"

4. Pages 1 and 2.
Strike: everything following the enacting clause
Insert: "Section 1. Rules with substantial financial impact — fiscal note — effect without funding. (1) When adopting rules, policies, and standards under 20-2-121(6), (7), (9), and (11), the board of public education shall concurrently adopt a fiscal note to determine the financial impact of the rule, policy, or standard on school districts.

(2) The superintendent of public instruction shall prepare a suggested fiscal note for submission to the board of education. The board may also accept other testimony and exhibits on the financial impact to school districts before adopting a final fiscal note.

(3) (a) If the financial impact of the rule, policy, or standard is found by the board to be substantial, the board shall request the next legislature to fund implementation of the rule, policy, or standard through the foundation program. A substantial financial impact is an amount that cannot be readily absorbed in the budget of an existing school district program.

(b) A rule, policy, or standard found to have a substantial financial impact after formal adoption by the board is advisory to school districts until the beginning of the fiscal year immediately following the next legislative session.

(c) If the legislature refuses to fund requests made by the board under subsection (3)(a), the board shall declare that the rule, policy, or standard is advisory only as applied to school districts until such time as the board determines that appropriate funding is available to fund the rule, policy, or standard.

(4) A rule, policy, or standard not found to have a substantial financial impact on school districts becomes effective as provided in Title 2, chapter 4."

And, as amended, do pass. Report adopted.

JUDICIARY (Mazurek, Chairman): 2/20/85
SB 28, introduced bill, be amended as follows:

1. Title, lines 8 through 10.
Following: "NECESSARY;" on line 8
Strike: remainder of line 8 through "UNCHANGED" on line 10
Insert: "PROVIDING AN ALTERNATE STATEMENT OF CLAIM FOR RESERVED RIGHTS NOT YET PUT TO USE; SPECIFYING THE INFORMATION RELATING TO RESERVED RIGHTS TO BE INCLUDED"

2. Title, line 12.
Following: "COMMISSION;"

Insert: "REQUIRING THE COMMISSION TO MAKE STATUS REPORTS TO THE WATER JUDGE;"

3. Title, line 13.
Following: "85-2-217,"
Insert: "85-2-224,"
Following: "85-2-234,"
Strike: "AND"
Following: "85-2-702,"
Insert: "AND 85-2-704,"

4. Page 2.
Following: line 13
Insert: "Section 2. Section 85-2-224, MCA, is amended to read:

"85-2-224. Statement of claim. (1) The statement of claim for each right arising under the laws of the state and for each right reserved under the laws of the United States which has been actually put to use shall include substantially the following:

(a) the name and mailing address of the claimant;

(b) the name of the watercourse or water source from which the right to divert or make use of water is claimed, if available;

(c) the quantities of water and times of use claimed;

(d) the legal description, with reasonable certainty, of the point or points of diversion and places of use of waters;

(e) the purpose of use, including, if for irrigation, the number of acres irrigated;

(f) the approximate dates of first putting water to beneficial use for the various amounts and times claimed in subsection (c); and

(g) the sworn statement that the claim set forth is true and correct to the best of claimant's knowledge and belief.

(2) ~~The~~ Any claimant filing a statement of claim under subsection (1) shall submit maps, plats, aerial photographs, decrees, or pertinent portions thereof, or other evidence in support of his claim. All maps, plats, or aerial photographs should show as nearly as possible to scale the point of diversion, place of use, place of storage, and other pertinent conveyance facilities.

(3) Any statement of claim for rights reserved under the laws of the United States which have not yet been put to use shall include substantially the following:

(a) the name and mailing address of the claimant;

(b) the name of the watercourse or water source from which the right to divert or make use of water is claimed, if available;

(c) the quantities of water claimed;

(d) the priority date claimed;

(e) the laws of the United States on which the claim is based; and

(f) the sworn statement that the claim set forth is true and correct to the best of claimant's knowledge and belief.""
Renumber: subsequent sections

5. Page 3, lines 16 and 17.
Following: "decree" on line 16
Strike: remainder of line 16 through "purposes," on line 17

6. Page 3, lines 19 and 20.
Following: "agency" on line 19
Strike: remainder of line 19 through "congress" on line 20

7. Page 4, lines 14 and 15.
Following: "decree" on line 14
Strike: remainder of line 14 through "alteration" on line 15

8. Page 4, line 22.
Following: "1973"
Insert: ", and of any federal agency or Indian tribe possessing water rights arising under federal law, required by 85-2-702 to file claims"

9. Page 4, line 25.
Following: "person"
Insert: ", federal agency, and Indian tribe"

10. Page 5, line 3.
Following: "right"
Insert: "arising under the laws of the state of Montana"

11. Page 5.
Following: line 18
Insert: "(6) For each person, tribe, or federal agency possessing water rights arising under the laws of the United States, the final decree shall state:

(a) the name and mailing address of the holder of the right;

(b) the source or sources of water included in the right;

(c) the quantity of water included in the right;

(d) the date of priority of the right;

(e) the purpose for which the water included in the right is currently used, if at all;

(f) the place of use and a description of the land, if any, to which the right is appurtenant;

(g) the place and means of diversion, if any; and

(h) any other information necessary to fully define the nature and extent of the right, including the terms of any compacts negotiated and ratified under 85-2-702."

12. Page 6, line 15.
Following: "Montana"
Strike: ","
Insert: "and"

13. Page 6, lines 16 and 17.
Following: "body" on line 16
Strike: remainder of line 16 through "authority" on line 17

14. Page 6, line 18.
Following: "its"
Strike: "approval"
Insert: "ratification"

15. Page 6, line 19.
Following: "tribe"
Strike: "or federal agency"

16. Page 6, lines 20 and 21.
Following: "decree"
Strike: remainder of line 20 through "purposes" on line 21

17. Page 6, line 23.
Following: "decree"
Strike: "without alteration"

18. Page 6, line 24.
Following: "tribe"
Strike: "or federal agency"

19. Page 6, line 25.
Following: "all"
Strike: "federal and"

20. Page 7.
Following: line 5
Insert: "Section 6. Section 85-2-704, MCA, is amended to read:

"85-2-704. Termination of negotiations. (1) The commission or any ~~other party to the negotiations~~ negotiating tribe or federal agency may terminate negotiations by providing notice to all parties 30 days in advance of the termination date. On the termination date, the suspension of the application of part 2 provided for in 85-2-217 shall also terminate. The tribe or federal agency shall file all of its claims for reserved rights within ~~60 days~~ 6 months of the termination of negotiations.

(2) Once negotiations have been terminated pursuant to subsection (1), they may be reopened only by mutual agreement of the parties."

NEW SECTION. Section 7. Status reports to chief water judge. (1) The Montana reserved water rights compact commission must submit to the chief water judge, appointed pursuant to 3-7-221, a report on the status of its negotiations on July 1, 1985, and every 6 months thereafter.

(2) Each report must state which Indian tribes and federal agencies are engaged in negotiations, whether any negotiations with Indian tribes or federal agencies have been terminated, and the progress of negotiations on a tribe-by-tribe and agency-by-agency basis. The report must be made available to the public."
Renumber: subsequent section

And, as amended, do pass. Report adopted.

SB 352, do pass. Report adopted. 2/21/85

LOCAL GOVERNMENT (Fuller, Chairman): 2/20/85
SB 25, introduced bill, be amended as follows:

1. Title, line 9.
Following: "7-6-2426,"
Insert: "7-6-2427,"

2. Title, line 10.
Following: "46-14-202,"
Insert: "46-14-221,"

3. Page 6, lines 9 through 19.
Following: "counties."
Strike: remainder of line 9 through line 19

4. Page 10.
Following: line 2
Insert: "Section 8. Section 7-6-2427, MCA, is amended to read:

"7-6-2427. Special provisions for certain charges related to criminal prosecutions. ~~(1)~~ Notwithstanding 7-6-2426, all costs of a criminal prosecution, including attorneys' fees, of an offense committed in the state prison are not charges against the county in which the state prison is located. Such costs shall be paid by the department of institutions.

~~(2) When a criminal action is removed before trial, the costs accruing upon such removal and trial must be a charge against the county in which the indictment was found or information filed.~~""
Renumber: subsequent sections

5. Page 13.
Following: line 5
Insert: "Section 14. Section 46-14-221, MCA, is amended to read:

"46-14-221. Determination of fitness to proceed — effect of finding of unfitness — expenses. (1) The issue of the defendant's fitness to proceed may be raised by the defendant or his counsel or by the county attorney. When the issue is raised, it shall be determined by the court. If neither the county attorney nor counsel for the defendant contests the finding of the report filed under 46-14-203, the court may make the determination on the basis of the report. If the finding is contested, the court shall hold a hearing on the issue. If the report is received in evidence upon the hearing, the parties have the right to summon and cross-examine the psychiatrists who joined in the report and to offer evidence upon the issue.

(2) If the court determines that the defendant lacks fitness to proceed, the proceeding against him shall be suspended, except as provided in subsection (4) of this section, and the court shall commit him to the custody of the director of the department of institutions to be placed in an appropriate institution of the department of institutions for so long as the unfitness endures. The committing court shall, within 90 days of commitment, review the defendant's fitness to proceed. If the court finds that he is still unfit to proceed and that it does not appear that he will become fit to proceed within the reasonably foreseeable future, the proceeding against him shall be dismissed, except as provided in subsection (4) of this section, and the county attorney shall petition the court in the manner provided in chapter 20 or 21 of Title 53, whichever is appropriate, to determine the disposition of the defendant pursuant to those provisions.

(3) If the court determines that the defendant lacks fitness to proceed because he is developmentally disabled as provided in 53-20-102(4), the proceeding against him shall be dismissed and the county attorney shall petition the court in the manner provided in chapter 20 of Title 53.

(4) The fact that the defendant is unfit to proceed does not preclude any legal objection to the prosecution which is susceptible to fair determination prior to trial and without the personal participation of the defendant.

(5) The expenses of sending the defendant to the custody of the director of the department of institutions to be placed in an appropriate institution of the state department of institutions, of keeping him there, and of bringing him back are chargeable to the state ~~but the state may recover them from the estate of the defendant~~ and payable as provided in [section 2].""

Renumber: subsequent sections

6. Page 14.
Following: line 19
Insert: "NEW SECTION. Section 18. Coordination instruction. If Senate Bill No. 142 is not passed and approved, this act is void."
Renumber: subsequent section

And, as amended, do pass. Report adopted.

SB 142, introduced bill, be amended as follows:

1. Title, line 5.
Following: "TAX ON"
Insert: "AUTOMOBILES AND"
Following: "LIGHT"
Strike: "VEHICLES"
Insert: "TRUCKS"

2. Title, line 9.
Following: "PROVIDING"
Strike: "A DELAYED"
Insert: "AN"

3. Page 3, line 18.
Following: "effective"
Strike: "January 1, 1986"
Insert: "July 1, 1985"

And, as amended, do pass. Report adopted.

SB 183, introduced bill, be amended as follows:

1. Title, line 6.
Following: "COMMISSIONERS;"
Insert: "PROVIDING A PROCEDURE FOR FILLING SUCH A VACANCY;"

2. Page 1.
Following: line 19
Insert: "The procedure to be used to fill the vacancy is as follows:

(a) If the former incumbent represented a party eligible for a primary election under 13-10-601, the county central committee of that party shall submit to the remaining commissioners three names of people who have lived in the unrepresented district for at least 2 years preceding the day the vacancy occurs, and the remaining commissioners shall appoint one of these three to fill the vacancy.

(b) If the former incumbent was independent or was originally nominated by a party that does not meet the requirements of 13-10-601, or if the vacancy occurs from a failure to elect, the remaining commissioners shall invite applications for the vacancy in a notice published as provided in 13-1-108 and shall accept an application from any person who has lived in the unrepresented district for at least 2 years preceding the day the vacancy occurs. The

remaining commissioners shall appoint one of these applicants to fill the vacancy."

And, as amended, do pass. Report adopted.

SB 266, introduced bill, be amended as follows:

1. Page 1, line 22.
Following: "any"
Insert: "freeholder's"

2. Page 1, line 23.
Following: "parcels of"
Insert: "the freeholder's"

And, as amended, do pass. Report adopted.

SJR 20, do pass. Report adopted.

NATURAL RESOURCES (Eck, Chairman): 2/21/85
SB 369, introduced bill, be amended as follows:

1. Page 5, line 10.
Following: "Exemptions."
Insert: "The provisions of 85-15-102(2) and (3), 85-15-103, and this act do not apply to dams subject to a permit issued pursuant to 82-4-335 for the period during which the dam is subject to the permit."

And, as amended, do pass. Report adopted.

SB 377, do pass. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman): 2/20/85
SB 329, introduced bill, be amended as follows:

1. Page 1, line 25 through page 2, line 1.
Strike: subsection (b) in its entirety
Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
SB 329

A statement of intent is required for this bill because it amends 53-6-104 to allow the department of social and rehabilitation services to enact rules in subsection (2). Under present law the department has express rule-making authority to administer and supervise the state's medical assistance programs under Title 53. The intent of this bill is to clarify that the department has the same options provided under federal freedom of choice statutes to restrict access to and services of health care providers.

STATE ADMINISTRATION (Haffey, Chairman):
SB 420, introduced bill, be amended as follows: 2/20/85

1. Page 2, line 15.
Following: "tax,"
Insert: "the portion of"

2. Page 2, line 19.
Following: "entities"

Strike: remainder of line 19 through "to" on line 20
Insert: "shall"

3. Page 2, line 20.
Following: "state"
Strike: "general"
Insert: "special revenue"

And, as amended, do pass. Report adopted.

SB 422, introduced bill, be amended as follows:

1. Page 2, line 24.
Following: "include"
Insert: ", in a concise form,"

And, as amended, do pass. Report adopted.

SB 366, do pass. Report adopted. 2/21/85
SB 427, introduced bill, be amended as follows:

1. Title, line 7.
Following: "1981;"
Strike: "PROVIDING FUNDING FOR THE ALLOWANCE;"

2. Page 1, line 17.
Following: "~~1 ½%~~"
Strike: "0.4%"
Insert: "1 ½%"

3. Page 1, line 18.
Following: "~~of~~"
Insert: "the fire portion of"

4. Page 1, line 19.
Following: "~~1975~~"
Strike: "1985"
Insert: "1975"

And, as amended, do pass. Report adopted.

TAXATION (Towe, Chairman): 2/21/85
SB 307, introduced bill, be amended as follows:

1. Page 4, line 13.
Following: "penalty"
Strike: "by more"
Insert: "to less"

2. Page 4, lines 14 and 15.
Following: "," on line 14
Strike: "by more"
Insert: "to less"

3. Page 6, line 16.
Following: "~~15-8-601.~~"
Insert: "An assessment pursuant to parts 5 through 8 of this chapter based on estimated value or imputed value is subject to review under 15-8-601."

And, as amended, do pass. Report adopted.

SB 379, do pass. Report adopted.
SB 401, do pass. Report adopted.

Adverse Committee Reports

BUSINESS AND INDUSTRY (Halligan, Chairman): 2/21/85
SB 355, do not pass. Adverse committee report adopted as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: Aklestad, Farrell.
Total 2

LOCAL GOVERNMENT (Fuller, Chairman): 2/20/85
SB 170, introduced bill, be amended as follows:

1. Title, lines 5 and 6.
Following: "AND TO" on line 5
Strike: remainder of line 5 through "ON THE" on line 6
Insert: "INCREASE THE MAXIMUM"

2. Title, line 7.
Following: "7-21-3407"
Strike: ","
Insert: "AND"
Following: "7-21-3410,"
Strike: "AND"

3. Title.
Following: line 7
Strike: "7-21-3412,"

4. Page 1, line 22.
Following: "~~$3,500,~~"
Insert: "not to exceed $3,500,"

5. Page 1, line 25.
Following: "~~county.~~"
Insert: "and/or junior fair and for advertising the products and resources of their county."

6. Page 2, line 4.
Following: "~~less~~"
Insert: "of 3 mills or less"
Following: "~~dollar of~~"
Insert: "each dollar of"

7. Page 2, lines 15 through 25.
Strike: section 3 in its entirety
Renumber: subsequent section

And, as amended, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Brown, Goodover, McCallum.
Total 3

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 260, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 43

Noes: Daniels, Gage, Harding, Keating, Smith, Weeding.
Total 6

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SPECIAL ORDERS OF THE DAY

Kellie Sue Rall, winner of the 1985 National Modern Miss title, sang a medley of "God Love the U.S.A." and "I'm a Country Girl".

At the request of the President, and without objection, the Senate reverted to Order of Business No. 5.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 2/20/85

HB 54, introduced by Marks

HB 164, introduced by Bradley, et al.

HB 210, introduced by Connelly, et al.

HB 239, introduced by Wallin, et al.

HB 354, introduced by Brandewie, et al.

HB 431, introduced by Nathe

HB 442, introduced by J. Brown, Bergene

HB 496, introduced by Darko, et al.

HB 541, introduced by Darko, D. Brown

HB 594, introduced by Cobb

HB 608, introduced by M. Williams

HB 622, introduced by Thoft

HB 635, introduced by Darko, et al.

HB 654, introduced by Pavlovich

HB 655, introduced by Peck, et al.

HB 675, introduced by Krueger, et al.

HB 685, introduced by J. Hammond, et al.

HB 687, introduced by Fritz, et al.

HB 698, introduced by Ream, et al.

HB 721, introduced by Cobb

HB 727, introduced by Hansen, et al.

HB 755, introduced by D. Brown, et al.

HB 769, introduced by Holliday, et al.

HB 784, introduced by Holliday, Halligan

HB 818, introduced by Patterson, et al.

HJR 1, introduced by Vincent, et al.

HJR 25, introduced by Swift, et al.

MOTIONS

Senator Boylan moved that the Senate reconsider its action in indefinitely postponing SB 210 on the 39th legislative day. Motion failed as follows:

Ayes: Bengtson, Blaylock, Boylan, Christiaens, Conover, Eck, Farrell, Fuller, Haffey, Halligan, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Stimatz, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 25

Noes: Aklestad, Anderson, Brown, Crippen, Daniels, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, McCallum, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Weeding.
Total 25

Paired: Neuman, Aye; Smith, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 458, introduced by Lynch, Menahan, Keenan, Haffey, Quilici, Pavlovich, Harrington, Jacobson, Stimatz, D. Brown, Krueger, Daniels. Referred to Committee on Public Health, Welfare and Safety.

SB 459, introduced by Fuller. Referred to Committee on Judiciary.

SB 460, introduced by Christiaens, Keenan, Cohen, Towe, Ream, Eck, Regan. Referred to Committee on Taxation.

SB 461, introduced by Fuller, Mazurek, (By Request of the Montana Economic Development Board). Referred to Committee on Taxation.

The following House bills were introduced, read first time, and referred to committees:

HB 235, introduced by Peck, H. Hammond, Bergene, Miles, Stephens. Referred to Committee on Public Health, Welfare and Safety.

HB 265, introduced by Ream, Marks. Referred to Committee on Judiciary.

HB 276, introduced by Bradley, Miller, Spaeth, Brandewie. Referred to Committee on Judiciary.

HB 331, introduced by Quilici, J.K. Moore, Peck, Bachini. Referred to Committee on Highways and Transportation.

HB 341, introduced by Miller. Referred to Committee on Judiciary.

HB 342, introduced by Lory, (By Request of the Department of Administration). Referred to Committee on Finance and Claims.

HB 360, introduced by J. Hammond, Garcia, Peck, Fuller, Kadas. Referred to Committee on Business and Industry.

HB 362, introduced by Bardanouve, Marks, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Natural Resources.

HB 380, introduced by Bradley, Ramirez, Schye, D. Brown, Christiaens, Mazurek. Referred to Committee on Business and Industry.

HB 414, introduced by Iverson, Aklestad. Referred to Committee on Local Government.

HB 471, introduced by J. Hammond, Blaylock, Peck, Eudaily, Bachini. Referred to Committee on Education and Cultural Resources.

HB 474, introduced by Pavlovich, J. Brown, Menahan, (By Request of the Board of Morticians). Referred to Committee on Public Health, Welfare and Safety.

HB 480, introduced by Donaldson, (By Request of the Office of Public Instruction). Referred to Committee on Education and Cultural Resources.

HB 481, introduced by Brandewie, Mercer, Krueger, Cobb, O'Hara, Harrington, Bradley, Harp. Referred to Committee on Judiciary.

HB 483, introduced by Spaeth. Referred to Committee on Local Government.

HB 484, introduced by Peck, Iverson, Jenkins, Compton, Bachini, Schye, Cody. Referred to Committee on Local Government.

HB 522, introduced by Peck, Sands. Referred to Committee on Judiciary.

HB 524, introduced by Addy, (By Request of the Department of State Lands). Referred to Committee on Natural Resources.

HB 526, introduced by Simon, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Public Health, Welfare and Safety.

HB 534, introduced by Hannah, Peck. Referred to Committee on Education and Cultural Resources.

HB 557, introduced by D. Brown. Referred to Committee on State Administration.

HB 566, introduced by Thomas. Referred to Committee on Judiciary.

HB 570, introduced by Mercer, Harding, Pinsoneault, Thomas, J. Hammond, Pistoria, Patterson, Keller, Harbin, E. Smith, Gould. Referred to Committee on State Administration.

HB 598, introduced by Asay. Referred to Committee on Business and Industry.

HB 599, introduced by Asay. Referred to Committee on Labor and Employment Relations.

HB 606, introduced by Campbell, Wallin, (By Request of the Department of Justice, Motor Vehicles Division). Referred to Committee on Business and Industry.

HB 623, introduced by Wallin, (By Request of the Montana Health Facility Authority). Referred to Committee on Public Health, Welfare and Safety.

HB 627, introduced by Keenan, Krueger, Waldron, Miles, Harrington, O'Connell, Addy, Bergene, Schye, Pavlovich. Referred to Committee on Judiciary.

HB 643, introduced by Thoft, Iverson, Ellison, McCormick, J.K. Moore, Zabrocki, Thomas, Rehberg, Harp, Tveit, Pistoria, Brandewie, O'Connell, Devlin, Switzer, Nathe, Compton, Swift, Schultz, Gilbert, Grady, Kitselman, Hanson, Mercer, Driscoll, Wallin, Ellerd, Campbell, Harbin, Menahan, Gould, Severson, Harding, J. Moore. Referred to Committee on Judiciary.

HB 658, introduced by Ramirez, Spaeth. Referred to Committee on Business and Industry.

HB 662, introduced by Keyser, Ramirez, Iverson, (By Request of the Securities Division of the State Auditor's Office). Referred to Committee on Business and Industry.

HB 673, introduced by Kadas. Referred to Committee on Local Government.

HB 718, introduced by Addy, Donaldson, Harper, Marks. Referred to Committee on Labor and Employment Relations.

HB 734, introduced by Grady, Cobb, Thoft, Jenkins, Harper, Ellison, Thayer, Tveit, E. Smith, Hanson, J. Brown, Asay, Spaeth, Howe, Conover, Boylan, Lane, Mazurek, Farrell, Severson, Campbell, Koehnke, C. Smith, Jones, Compton, Rapp-Svrcek, Hirsch, Mohar. Referred to Committee on Fish and Game.

HB 759, introduced by Lory, Quilici, Connelly, Gage, Keating, Stimatz, (By Request of the Insurance Department of the State Auditor's Office). Referred to Committee on Business and Industry.

HB 813, introduced by Schye, Darko, (By Request of the House Local Government Committee). Referred to Committee on Local Government.

HB 816, introduced by M. Williams. Referred to Committee on State Administration.

HJR 30, introduced by Glaser, Harp, Abrams, O'Connell, Zabrocki, Campbell, Koehnke, Kennerly, Howe, Keyser, Harbin, C. Smith, Peterson, Compton, (By Request of the House Committee on Highways and Transportation). Referred to Committee on Highways and Transportation.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 247 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Williams, Weeding, Yellowtail, Mr. President.

Total 45

Noes: Goodover, Shaw.
Total 2

Excused: Neuman.
Total 1

Absent or not voting: Lane, Story.
Total 2

SB 310 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 313, being a Constitutional Amendment, was sent to the House with the following vote:

Ayes: Aklestad, Anderson, Boylan, Daniels, Gage, Galt, Haffey, Hammond, Harding, Kolstad, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Tveit, Weeding, Williams, Yellowtail.
Total 21

Noes: Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Goodover, Hager, Halligan, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Regan, Stimatz, Thayer, Towe, Van Valkenburg, Mr. President.
Total 28

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 320 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 333 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: Daniels.
Total 1

SB 344 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 357 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.

Total 0

SB 399 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

HB 23 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Shaw, Story.
Total 2

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

HB 70 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Shaw.
Total 1

Excused: Neuman.
Total 1

Absent or not voting: Stephens.
Total 1

HB 140 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

HB 267 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

HB 297 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Gage.
Total 1

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

HB 459 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Keating, Manning, Mazurek,

McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Kolstad in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 287 - That SB 287 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 314 - That SB 314, second reading copy, be amended as follows:

1. Page 1, lines 12 and 13.
Following: "neglect" on line 12
Strike: the remainder of line 12 through "act" on line 13

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.

Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

That SB 314, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 316 - That SB 316 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Gage.
Total 1

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 319 - That SB 319 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 326 - That SB 326 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 342 - That SB 342, second reading copy, be amended as follows:

1. Title, lines 7 through 10.
Strike: line 7 through "EXAMINATION;" on line 10

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

That SB 342, as amended, do pass. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Eck, Fuller, Goodover, Haffey, Hager, Halligan, Hammond, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Mazurek, Pinsoneault, Severson, Stephens, Towe, Van Valkenburg, Yellowtail, Mr. President.
Total 29

Noes: Aklestad, Christiaens, Harding, Lynch, Manning, McCallum, Mohar, Regan, Shaw, Smith, Thayer.
Total 11

Excused: Neuman.
Total 1

Absent or not voting: Daniels, Farrell, Gage, Galt, Stimatz, Story, Tveit, Weeding, Williams.

Total 9

Senator Stephens in the Chair.

SB 345 - That SB 345 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 361 - That SB 361 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

Senator Kolstad in the Chair.

SB 408 - That SB 408 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.

Total 0

SJR 19 - That SJR 19 do pass. Motion carried as follows:

Ayes: Bengtson, Blaylock, Boylan, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 27

Noes: Aklestad, Anderson, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 22

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

HB 349 - That HB 349 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair.

SB 316 - Senator Weeding moved that SB 316 be segregated from the Committee of the Whole report. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.

Total 0

Chairman Kolstad moved the adoption of the committee report, as amended. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

FISH AND GAME (Conover, Chairman): 2/21/85

SB 334, introduced bill, be amended as follows:

1. Page 2, line 2.
Following: "designate"
Strike: "_____$2,"

2. Page 2, line 6.
Following: "designate"
Strike: "_____$2,"

3. Page 3, line 15.
Strike: "$6,638"
Insert: "$7,884"

4. Page 3, line 16.
Strike: "$4,238"
Insert: "$7,884"

5. Page 3, line 20.
Strike: "50th legislature"
Insert: "legislative finance committee"

And, as amended, do pass. Report adopted.

SB 388, introduced bill, be amended as follows:

1. Title, lines 6 and 7.
Following: "LICENSE" on line 6
Strike: "AND IN HIS PRESENCE"

2. Page 2, lines 2 and 3.
Following: "kill" on line 2
Strike: "in the presence of the licensee"

3. Page 2, line 6.
Following: "persons"
Strike: "who will accompany"
Insert: "designated by"

And, as amended, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Lynch, Chairman): 2/21/85

SB 362, do pass. Report adopted.

LOCAL GOVERNMENT (Fuller, Chairman): 2/21/85

SB 118, introduced bill, be amended as follows:

1. Page 2, line 12.
Following: "administrator"
Strike: "shall"
Insert: "may"

2. Page 2, line 13.
Following: "(1),"

Insert: "not to exceed"

And, as amended, do pass. Report adopted.

SB 291, introduced bill, be amended as follows:

1. Title, line 5.
Following: "TO"
Strike: "FIRST-, SECOND-, AND THIRD-CLASS"

2. Title, line 6.
Following: "CITIES"
Insert: "AND TOWNS HAVING A POPULATION OF MORE THAN 300"

3. Page 1, lines 13 and 14.
Following: "~~and towns~~"
Strike: remainder of line 13 through "class" in line 14
Insert: "and towns having a population of more than 300 in the most recent census taken under the direction of congress"

And, as amended, do pass. Report adopted.

SB 339, do pass. Report adopted.
SB 354, introduced bill, be amended as follows:

1. Title, line 6.
Following: "MCA"
Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 1.
Following: line 17
Insert: "NEW SECTION. Section 2. Effective date. This act is effective on passage and approval."

And, as amended, do pass. Report adopted.

SB 372, do pass. Report adopted.
SB 389, do pass. Report adopted.

Adverse Committee Reports

LOCAL GOVERNMENT (Fuller, Chairman): 2/21/85
SB 285, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Williams, Mr. President.
Total 45

Noes: Towe, Yellowtail.
Total 2

Excused: Neuman.
Total 1

Absent or not voting: Stephens, Weeding.
Total 2

Senator Van Valkenburg moved that the Senate adjourn until 3:30 p.m., February 22, 1985.

Motion carried.

Senate adjourned at 4:58 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

FORTY-FIRST LEGISLATIVE DAY

Helena, Montana
February 22, 1985

Senate Chambers
State Capitol

Senate convened at 3:31 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Neuman, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 2/22/85

Correctly printed and placed on the members' desks: SB 25, SB 28, SB 118, SB 129, SB 142, SB 183, SB 266, SB 289, SB 291, SB 307, SB 329, SB 334, SB 339, SB 349, SB 352, SB 354, SB 362, SB 366, SB 369, SB 372, SB 377, SB 378, SB 379, SB 382, SB 388, SB 389, SB 401, SB 404, SB 420, SB 422, SB 427, SJR 20.

Correctly engrossed: SB 314, SB 342.

Considered correctly engrossed: SB 287, SB 319, SB 326, SB 345, SB 361, SB 408, SJR 19.

Signed by the President at 10:00 a.m., 2/22/85: HB 13, HB 22, HB 107, HB 141, HB 194, HB 233, HB 316, HJR 17.

Report adopted.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Boylan, Chairman): 2/22/85

SB 448, do pass. Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 2/22/85

SB 394, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stimatz, Chairman): 2/21/85

SB 74, introduced bill, be amended as follows:

1. Title, line 8.
Strike: line 8 through "ORDER;" on line 9

2. Title, line 9.
Following: "44-1-1001"
Strike: "AND"
Insert: "THROUGH"

3. Title, line 10.
Following: "44-1-1003, MCA"
Strike: "; AND REPEALING SECTION 44-1-1002, MCA"

4. Page 2, line 3.
Following: "<u>district</u> <u>or</u>"
Insert: "by a peace officer of or"
Following: "<u>size</u>"
Insert: "to forestall or mitigate imminent or existing danger to public safety"

5. Page 2, line 13.
Following: "~~or~~"
Insert: "or"

6. Page 2, lines 15 through 17.
Following: "automobiles" on line 15
Strike: remainder of line 15 through "<u>part</u> <u>1</u>" on line 17

7. Page 2.
Following: line 17
Insert: "Section 2. Section 44-1-1002, MCA, is amended to read:

"44-1-1002. No authority in labor disputes — exception. ~~Such~~ Except as provided in 44-1-1003, such highway patrolmen have no authority and are expressly forbidden to make arrests in labor disputes or to prevent violence in connection with strikes and may not perform any duties whatsoever in connection with labor disputes, strikes, or boycotts.""
Renumber: subsequent section

8. Page 3, lines 2 through 12.
Following: "violations." on line 2
Strike: remainder of line 2 through line 12
Insert: "In case of obstruction of a public highway resulting in any threat to or interruption of safe or prompt passage by the public on the highway and upon presentation of such evidence to the attorney general or his designee, he shall promptly authorize the highway patrol chief and patrolmen to take any appropriate action, either alone or in cooperation with other peace officers, to maintain the public peace and order along the highway and the orderly flow of traffic."

9. Page 3, line 13.
Strike: section 3 in its entirety

And, as amended, do pass. Report adopted.

SB 83, introduced bill, be amended as follows:

1. Title, line 10.
Following: "MCA"
Strike: "; AND PROVIDING AN EFFECTIVE DATE"

2. Page 4, line 2.
Strike: section 4 in its entirety

And, as amended, do pass. Report adopted.

SB 387, introduced bill, be amended as follows:

1. Title, line 4.
Following: "TO"
Strike: "REQUIRE"
Insert: "ALLOW"

2. Page 3.
Following: line 24
Strike: "shall"
Insert: "may"

And, as amended, do pass. Report adopted.

SB 419, do pass. Report adopted.

JUDICIARY (Mazurek, Chairman): 2/22/85
SB 411, introduced bill, be amended as follows:

1. Page 5, line 23.
Following: "41-5-523."
Insert: "The center is a mental health facility as defined in 53-21-102(6)."

And, as amended, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
SB 411

A statement of intent is needed for this bill because section 3 grants rule-making authority to the department of institutions.

The rules should address the following:

(1) the need of the child for intensive inpatient mental health treatment in a psychiatric hospital setting;

(2) the ability of the center to provide the needed treatment;

(3) the ability of the center to provide for the child's safety and security;

(4) the unavailability of other treatment options; and

(5) whenever proper and in the best interests of the child, segregation of persons under the age of 12 from remaining patients should be considered.

SB 433, introduced bill, be amended as follows:

1. Page 1, line 15.
Following: "or"
Insert: "for performing an autopsy"

2. Page 1, line 25.
Following: "or"
Insert: "for performing an autopsy"

And, as amended, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Lynch, Chairman): 2/22/85
SB 447, do pass. Report adopted.

NATURAL RESOURCES (Eck, Chairman): 2/22/85
SB 365, introduced bill, be amended as follows:

1. Title, line 9.
Following: "MCA"
Strike: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 4, lines 15 through 16.
Strike: section 3 in its entirety

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 2/21/85
SB 308, introduced bill, be amended as follows:

1. Title, line 5.
Following: "SECTIONS"
Insert: "13-2-102,"

2. Page 1.
Following: line 8
Insert: "Section 1. Section 13-2-102, MCA, is amended to read:

"13-2-102. Deputy registrars. (1) A notary public who fulfills the requirements of subsection (4) may be a deputy registrar in the county in which he resides.

(2) (a) The governing body of each county may at its discretion appoint two or more deputy registrars for each precinct in the county before March 15 of each even-numbered year.

(b) The number of deputy registrars, if appointed, shall be equally divided between the political parties meeting the requirements of 13-10-601 unless one or more of the parties fail to submit the list required in subsection (3) or submit an incomplete list. A political party which qualifies under 13-10-501 may request the appointment of deputy registrars and shall submit a list for such appointments within 30 days of such qualification.

(c) An appointed deputy registrar must be a resident elector in the precinct for which appointed but may register electors in all precincts in the ~~county~~ state.

(3) Deputy registrars shall be appointed from lists of individuals recommended by the qualified political parties, submitted by February 1 of even-numbered years. If no lists are submitted by political parties, the governing body may appoint two deputy registrars for each precinct without party recommendations.

(4) Each election administrator shall provide training to all deputy registrars in registration procedures and shall issue a certificate to each deputy registrar on successful completion of the training. A deputy registrar may not register voters without a current certificate. All certificates expire on March 15 of each even-numbered year.

(5) Deputy registrars shall forward all completed cards to the county registrar within 3 days. Registration cards properly executed before a deputy registrar prior to the close of registration shall be accepted for 3 days after the close of registration.

(6) Each election administrator shall certify to the secretary of state the names of each deputy registrar to whom a certificate has been issued. The secretary of state shall then compile a list of deputy registrars with current certificates and make that list available to each election administrator and the public.""

Renumber: subsequent sections

3. Page 1, lines 19 and 21.
Following: "state"
Strike: remainder of line 19 through "form" on line 21
Insert: "A form prescribed by the secretary of state explaining voter registration qualifications, deadlines, and purge information shall be distributed with the mail registration form."

4. Page 2, lines 3 and 4.
Following: "~~form~~" on line 3
Strike: remainder of line 3 through "administrator." on line 4
Insert: "either verify or affirm the mail registration form before a notary public or other officer empowered to administer oaths or complete and sign the form and obtain the signature, address, and voting precinct of at least one registered voter in the county who shall witness the facts stated on the registration form."

5. Page 2, line 8.
Following: "~~15~~"
Strike: "30"
Insert: "15"

6. Page 2, line 9.
Following: "~~signed~~"
Insert: "by the witness or officer before whom signed"

7. Page 2, lines 25 through line 1, page 3.

Following: "form" on line 25
Strike: remainder of line 25 through "election" on line 1, page 3
Insert: "until 5 p.m. on the 10th day following the close of registration"

8. Page 3.
Following: line 7
Strike: subsection (a) in its entirety
Renumber: subsequent subsections

9. Page 3, lines 16 through 19.
Following: "precinct" on line 16
Strike: remainder of line 16 through "(1)(a)" on line 19

10. Page 4, lines 7 through 9.
Following: "(4)" on line 7
Strike: remainder of line 7 through "section, a" on line 9
Insert: "A"

11. Page 4, line 12.
Following: "weeks"
Insert: "prior to the date of cancellation"

And, as amended, do pass. Report adopted.

SB 457, introduced bill, be amended as follows:

1. Page 2, line 7.
Strike: "twenty-one (21)" .
Insert: "twenty-two (22)"

2. Page 2, line 11.
Strike: "northern"
Insert: "southern"

3. Page 5, line 2.
Strike: "fourteen (14)"
Insert: "ten (10)"

4. Page 5, line 7.
Strike: "southeast"
Insert: "southwest"

5. Page 8, line 9.
Strike: "22"
Insert: "21"

6. Page 9, line 2.
Strike: "6"
Insert: "4"
Strike: "22"
Insert: "21"

7. Page 9, line 7.
Strike: "northern"
Insert: "southern"

8. Page 9, line 11.
Strike: "southeast"
Insert: "southwest"

And, as amended, do pass. Report adopted.

TAXATION (Towe, Chairman): 2/22/85

SB 21, introduced bill, be amended as follows:

1. Title, line 4.
Following: "ESTABLISHING A"
Strike: "COAL"

2. Page 3, line 22.
Following: "of the"
Strike: "coal"

3. Page 3, line 25.
Following: "the"
Strike: "coal"

4. Page 4, lines 3 and 4.
Following: "by"
Strike: "....Bill No....(LC....)"
Insert: "[section 3 of HB 812]"
Following: "for"
Strike: "use in the competitive coal research program"
Insert: "technology investments in technology development projects as provided for in [section 6 of House Bill 812]"

5. Page 4, line 8.
Following: "products"
Insert: ", provided at least one-third of the total program funds is made available from private and other sources"

6. Page 4, lines 9 and 10.
Following: "studies" on line 9
Strike: "at Eastern Montana College"

7. Page 4.
Following: line 20
Strike: "_____ Bill No. _____ (LC _____)"
Insert: "House Bill 812"

And, as amended, do pass. Report adopted.

SB 156, introduced bill, be amended as follows:

1. Title, lines 6 and 7.
Following: "MCA" on line 6
Strike: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 4, lines 12 and 13.
Strike: section 2 in its entirety

And, as amended, do pass. Report adopted.

SB 284, introduced bill, be amended as follows:

1. Title, lines 5 and 6.
Following: "AMENDING" on line 5
Strike: "SECTIONS 7-3-1321, 7-6-2211, 7-6-4121, 7-7-2101, 7-7-2402, 7-16-2327, AND"
Insert: "SECTION"

2. Title, line 7.
Following: "MCA"
Strike: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 1, lines 19 and 20.
Following: "~~No~~" on line 19
Strike: "Except as provided in subsection (2)(a)(ii), no"
Insert: "No"

4. Page 1, line 22.
Following: "from"
Strike: ":"

5. Page 1, line 23.
Strike: "(i)"
Following: "charges,"
Insert: "and"

6. Page 1, line 24.
Following: "assessments"
Strike: "; and"
Insert: "."

7. Page 1, line 25 through line 14, page 2.
Strike: subsection (ii) and subsections (b) and (c) in their entirety
Renumber: subsequent subsections
Renumber: internal references

8. Page 3, line 17 through line 14, page 8.
Strike: sections 2 through 7 in their entirety
Renumber: subsequent sections

9. Page 8, lines 19 and 20.
Strike: section 9 in its entirety

And, as amended, do pass. Report adopted.

SB 338, do pass. Report adopted.

Adverse Committee Reports

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman):
2/22/85

SB 286, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Hager, McCallum.
Total 2

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SJR 22, introduced bill, be amended as follows:

1. Page 3.
Following: line 8
Insert: "(1)"

2. Page 3.
Following: line 11
Insert: "(2) That copies of this resolution be sent to the Speaker of the United States House, the President of the United States Senate, all members of the Montana Congressional delegation, and the President of the United States."

And, as amended, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Boylan, Brown, Conover, Crippen, Daniels, Farrell, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Mohar, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit.
Total 26

Noes: Bengtson, Blaylock, Christiaens, Eck, Fuller, Gage, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Pinsoneault, Regan, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 23

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

Minority and Majority Report

HIGHWAYS AND TRANSPORTATION (Stimatz, Chairman): 2/21/85
SB 113, Majority report, be amended as follows:

1. Page 1, line 16.
Following: "(1)"
Strike: "An affected person"
Insert: "A board of county commissioners"

2. Page 2, line 1.
Following: line 25, page 1, "the"
Strike: "person"
Insert: "board of county commissioners"

3. Page 2, line 2.
Following: "hearing"
Insert: "to be conducted informally during a regular meeting of the commission"

4. Page 2.
Following: line 7
Insert: "(3) Department decisions relating to employees of the department are not appealable under this section."
Renumber: subsequent subsections

5. Page 2.
Following: line 11
Insert: "NEW SECTION. Section 3. Extension of authority. Any existing authority of the highway commission to make rules on the subject of the provisions of this act is extended to the provisions of this act."
Renumber: subsequent sections

6. Page 2.

Following: line 16
Strike: "(3)"
Insert: "(4)"
Following: "2"
Insert: ", section 3,"

And, as amended, do not pass.

Majority committee members are:

Senator Stimatz
Senator Bengtson
Senator Daniels
Senator Lybeck
Senator Weeding
Senator Shaw
Senator Tveit

Senator Stimatz moved that the majority committee report be adopted. Senator Williams made a substitute motion that the minority committee report be adopted.

SB 113, Minority report, be amended as follows:

1. Page 1, line 16.
Following: "(1)"
Strike: "An affected person"
Insert: "A board of county commissioners"

2. Page 2, line 1.
Following: line 25, page 1, "the"
Strike: "person"
Insert: "board of county commissioners"

3. Page 2, line 2.
Following: "hearing"
Insert: "to be conducted informally during a regular meeting of the commission"

4. Page 2.
Following: line 7
Insert: "(3) Department decisions relating to employees of the department are not appealable under this section."
Renumber: subsequent subsections

5. Page 2.
Following: line 11
Insert: "NEW SECTION. Section 3. Extension of authority. Any existing authority of the highway commission to make rules on the subject of the provisions of this act is extended to the provisions of this act."
Renumber: subsequent sections

6. Page 2.
Following: line 16
Strike: "(3)"
Insert: "(4)"
Following: "2"
Insert: ", section 3,"

And, as amended, do not pass.

Minority committee members are:

Senator Farrell
Senator Hager
Senator Williams

The substitute motion failed as follows:

Ayes: Aklestad, Anderson, Boylan, Brown, Conover, Crippen, Farrell, Gage, Galt, Goodover, Hager, Halligan, Hammond, Hirsch, Keating, Kolstad, Lane, Lybeck, Severson, Stephens, Story, Thayer, Tveit, Williams.
Total 24

Noes: Bengtson, Blaylock, Christiaens, Daniels, Eck, Fuller, Haffey, Harding, Himsl, Jacobson, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Shaw, Smith, Stimatz, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 24

Excused: Neuman.
Total 1

Absent or not voting: McCallum.
Total 1

Majority committee report was adopted as follows:

Ayes: Bengtson, Blaylock, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Haffey, Halligan, Harding, Himsl, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Shaw, Smith, Stimatz, Towe, Tveit, Van Valkenburg, Weeding, Mr. President.
Total 29

Noes: Aklestad, Anderson, Boylan, Brown, Farrell, Gage, Galt, Goodover, Hager, Hammond, Hirsch, Keating, Kolstad, Severson, Stephens, Story, Thayer, Williams, Yellowtail.
Total 19

Excused: Neuman.
Total 1

Absent or not voting: McCallum.
Total 1

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 2/21/85

HB 338, introduced by Addy, et al.

HB 423, introduced by Gilbert, et al.

HB 491, introduced by Zabrocki

HB 507, introduced by Keyser, et al.

HB 544, introduced by Iverson, et al.

HB 549, introduced by Cobb

HB 558, introduced by Rehberg, Hannah

HB 564, introduced by Miller

HB 577, introduced by Bradley, et al.

HB 585, introduced by Gould, Campbell

HB 613, introduced by Hannah, et al.

HB 631, introduced by Keyser, et al.

HB 646, introduced by Rapp-Svrcek, et al.

HB 653, introduced by J. Hammond, et al.

HB 700, introduced by Mercer

HB 702, introduced by Harbin

HB 705, introduced by Rehberg, et al.

HB 706, introduced by Mercer, et al.

HB 710, introduced by Kadas

HB 713, introduced by Wallin, et al.

HB 730, introduced by Cohen, et al.

HB 736, introduced by Lory

HB 746, introduced by O'Connell

HB 831, introduced by Mercer, et al.

HJR 28, introduced by Rapp-Svrcek, et al.

MOTIONS

Senator Story moved that SB 22 be taken from the table of the Committee on Highways and Transportation and that it be printed and placed on second reading. Motion carried as follows:

Ayes: Aklestad, Anderson, Boylan, Brown, Conover, Crippen, Farrell, Fuller, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Mazurek, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Van Valkenburg, Williams, Yellowtail.
Total 29

Noes: Bengtson, Blaylock, Christiaens, Daniels, Eck, Haffey, Halligan, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mohar, Regan, Stimatz, Towe, Weeding, Mr. President.
Total 20

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SJR 27, introduced by Stimatz, Weeding, Hager, Shaw, Bengtson, Farrell, Tveit, Lybeck, B. Williams, (By Request of the Senate Committee on Highways and Transportation). Referred to Committee on Highways and Transportation.

SJR 28, introduced by Weeding, Boylan, Lane, Galt, H. Hammond, Aklestad, Conover, Bengtson, Lybeck, Severson, (By Request of the Senate Agriculture, Livestock and Irrigation Committee). Referred to Committee on Agriculture, Livestock, and Irrigation.

The following House bills were introduced, read first time, and referred to committees:

HB 54, introduced by Marks. Referred to Committee on Taxation.

HB 164, introduced by Bradley, J. Hammond, Krueger. Referred to Committee on Judiciary.

HB 210, introduced by Connelly, Nelson, Vincent, Christiaens, Hand, J. Brown, Bradley, Lory. Referred to Committee on Judiciary.

HB 239, introduced by Wallin, Darko, Bergene, Eudaily, Harper, Lory, Cohen, Nelson, Bradley, J. Brown, Miller, Rehberg. Referred to Committee on Local Government.

HB 338, introduced by Addy, Jones, C. Smith, Lynch, Harp, Pavlovich, Mercer, Schultz, Bradley, Daniels, Quilici, D. Brown, Keating, Stimatz. Referred to Committee on Business and Industry.

HB 354, introduced by Brandewie, Mercer, Harbin, Schye, McCallum. Referred to Committee on Judiciary.

HB 423, introduced by Gilbert, Schye, H. Hammond, Hanson, E. Smith, (By Request of the Department of Commerce). Referred to Committee on Judiciary.

HB 431, introduced by Nathe. Referred to Committee on Local Government.

HB 442, introduced by J. Brown, Bergene, (By Request of the Department of Revenue). Referred to Committee on Judiciary.

HB 491, introduced by Zabrocki, (By Request of the Department of Justice, Division of Motor Vehicles). Referred to Committee on Highways and Transportation.

HB 496, introduced by Darko, Mohar, Raney, Peterson, Bachini, Hansen. Referred to Committee on Local Government.

HB 541, introduced by Darko, D. Brown. Referred to Committee on Judiciary.

HB 544, introduced by Iverson, Hirsch, C. Smith, Jones, Jenkins, Pistoria, Anderson, Menahan, Neuman, Gage, Kitselman, Harper, Thayer, O'Connell, Schultz, Rehberg. Referred to Committee on Taxation.

HB 549, introduced by Cobb, (By Request of the Office of Public Instruction). Referred to Committee on Education and Cultural Resources.

HB 558, introduced by Rehberg, Hannah. Referred to Committee on Local Government.

HB 564, introduced by Miller. Referred to Committee on Local Government.

HB 577, introduced by Bradley, Ramirez, Haffey, Marks, J.K. Moore, Krueger, Spaeth, Van Valkenburg, M. Williams, Peck, Keenan, J. Hammond, B. Williams, Addy, Thomas, Halligan, Galt, Boylan, Harp, Pavlovich, D. Brown, Stephens, B. Brown, Bachini, Manning, Keyser, O'Hara, Mercer, (By Request of the Public Service Commission). Referred to Committee on Business and Industry.

HB 585, introduced by Gould, Campbell. Referred to Committee on Judiciary.

HB 594, introduced by Cobb. Referred to Committee on Judiciary.

HB 608, introduced by M. Williams. Referred to Committee on Education and Cultural Resources.

HB 613, introduced by Hannah, Rehberg, Campbell, J.K. Moore, C. Smith, Holliday, Shaw, Spaeth, Keating, Hand, Thayer, Christiaens, (By Request of the Secretary of State). Referred to Committee on Judiciary.

HB 622, introduced by Thoft. Referred to Committee on Judiciary.

HB 631, introduced by Keyser, Thomas, Kolstad, Jenkins. Referred to Committee on State Administration.

HB 635, introduced by Darko, H. Hammond, Harbin. Referred to Committee on Education and Cultural Resources.

HB 646, introduced by Rapp-Svrcek, Jacobson, Hager, Crippen, Bergene, Nathe, Ernst, B. Brown, Conover, Mercer. Referred to Committee on Public Health, Welfare and Safety.

HB 653, introduced by J. Hammond, Peck, McCormick. Referred to Committee on Local Government.

HB 654, introduced by Pavlovich. Referred to Committee on Local Government.

HB 655, introduced by Peck, Bardanouve, Donaldson, Winslow, E. Smith, Van Valkenburg, Haffey, Regan, (By Request of the Legislative Finance Committee). Referred to Committee on State Administration.

HB 675, introduced by Krueger, Peck, Harp, Lynch, Keenan, Iverson, Nathe, Vincent, D. Brown, Cohen, Driscoll, Montayne. Referred to Committee on Highways and Transportation.

HB 685, introduced by J. Hammond, Peck, Brandewie. Referred to Committee on Education and Cultural Resources.

HB 687, introduced by Fritz, Peterson, Hayne, Nelson, Zabrocki, J. Hammond. Referred to Committee on Local Government.

HB 698, introduced by Ream, D. Brown, Addy, Raney, Eck, Iverson, Kadas, Ellison, Halligan, Cohen, Phillips, Miles, Mohar, Keller, Harp, Cobb, Driscoll, Darko, Spaeth, Fritz, Krueger, (By Request of the Department of State Lands). Referred to Committee on Natural Resources.

HB 700, introduced by Mercer. Referred to Committee on Judiciary.

HB 702, introduced by Harbin, (By Request of the Department of State Lands). Referred to Committee on Natural Resources.

HB 705, introduced by Rehberg, Keller, Ernst, Patterson, Swift, McCallum, Iverson, Ramirez, Boylan, Hanson, E. Smith, Nathe, Conover. Referred to Committee on Natural Resources.

HB 706, introduced by Mercer, Quilici, Halligan. Referred to Committee on Judiciary.

HB 710, introduced by Kadas. Referred to Committee on Highways and Transportation.

HB 713, introduced by Wallin, Asay, Gilbert, Raney, Koehnke, Ernst, Pistoria, Brandewie, Schultz, McCormick, Mercer, Harbin, Ream, Bachini, Peterson, Keller, Ellison, O'Hara, Nathe, Hayne, Jones, Sands, Patterson, Ellerd, Marks. Referred to Committee on Judiciary.

HB 721, introduced by Cobb, (By Request of the Secretary of State). Referred to Committee on Business and Industry.

HB 727, introduced by Hansen, Ream, Miles. Referred to Committee on Local Government.

HB 730, introduced by Cohen, Story, Fuller, Driscoll, Connelly, Bachini, Zabrocki, Garcia, Menahan, Miles, Krueger, Ream, Eck, Wallin, Kadas, Keenan, Montayne, Peck, Fritz, Asay, Darko, Addy, Manning, Schultz, J. Hammond, Christiaens, D. Brown, J. Brown, Koehnke, Harrington, Cobb, Bradley, Sands, Jacobson, Schye, Hart, Gilbert, Quilici. Referred to Committee on Public Health, Welfare and Safety.

HB 736, introduced by Lory. Referred to Committee on Local Government.

HB 746, introduced by O'Connell. Referred to Committee on Local Government.

HB 755, introduced by D. Brown, Iverson, O'Hara, Krueger, Quilici, Hannah, Pavlovich, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Natural Resources.

HB 769, introduced by Holliday, Halligan, Gage. Referred to Committee on Natural Resources.

HB 784, introduced by Holliday, Halligan, (By Request of the Department of State Lands). Referred to Committee on Natural Resources.

HB 818, introduced by Patterson, D. Brown, Bengtson, (By Request of the House Local Government Committee). Referred to Committee on Local Government.

HB 831, introduced by Mercer, Gould, O'Hara, Nathe, Spaeth, Connelly. Referred to Committee on Judiciary.

HJR 1, introduced by Vincent, Boylan, Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, J. Hammond, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, C. Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Waldron, Wallin, M. Williams, Winslow, Zabrocki, Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, H. Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Norman, Pinsoneault, Regan, Severson, Shaw, E. Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, B. Williams, Yellowtail. Referred to Committee on Fish and Game.

HJR 25, introduced by Swift, Severson, Marks, J.K. Moore, Goodover, Brandewie, Thomas, Campbell, Nathe, Phillips, Cobb, Thoft, Grady, Devlin, Crippen, B. Williams, C. Smith, Jones, Keyser, Harp, Hannah, Abrams, Anderson, Hirsch, Shaw, Farrell, B. Brown, Stephens, Lane, Boylan, E. Smith, Hand, Koehnke, Ream. Referred to Committee on Natural Resources.

HJR 28, introduced by Rapp-Svrcek, Asay, Keller, Peterson, Vincent, Gilbert, Jenkins, Bardanouve, Schye, Cody, Cohen, Fritz, Holliday, Neuman, Koehnke, Nathe, Yellowtail, Severson, McCallum, Conover, Weeding, Lybeck. Referred to Committee on Agriculture, Livestock and Irrigation.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 55 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Aklestad.
Total 1

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 274 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Hirsch, Keating, Mohar.
Total 3

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 275 passed as follows:

Ayes: Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Haffey, Hager, Halligan, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 34

Noes: Aklestad, Anderson, Gage, Galt, Goodover, Hammond, Harding, Himsl, Hirsch, Kolstad, McCallum, Shaw, Smith, Stephens, Tveit.
Total 15

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 294 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 306 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: Weeding.
Total 1

SB 321 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 323 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Mohar.
Total 1

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 328 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens,

Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 359 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 407 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: Weeding.
Total 1

SJR 15 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Haffey, Hager, Halligan, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Smith, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 37

Noes: Aklestad, Boylan, Crippen, Gage, Galt, Goodover, Hammond, Harding, Kolstad, McCallum, Shaw, Stephens.

Total 12

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SJR 16 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Christiaens in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 72 - That SB 72 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

Senator Halligan in the Chair.

SB 200 - That SB 200, second reading copy, be amended as follows:

1. Page 1, line 13.
Following: "(1)"
Strike: "(A)"

2. Page 1.
Following: line 22
Strike: "(B)"
Insert: "(2)"

3. Page 2, lines 7 through 17.
Strike: subsection (2) in its entirety

Amendment failed as follows:

Ayes: Bengtson, Blaylock, Boylan, Christiaens, Conover, Daniels, Eck, Gage, Haffey, Halligan, Himsl, Jacobson, Lane, Lynch, Mazurek, Mohar, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Mr. President.
Total 23

Noes: Aklestad, Anderson, Crippen, Farrell, Galt, Goodover, Hager, Hammond, Harding, Hirsch, Keating, Kolstad, Lybeck, Manning, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Thayer, Tveit, Yellowtail.
Total 23

Excused: Neuman.
Total 1

Absent or not voting: Brown, Fuller, Story.
Total 3

That SB 200, second reading copy, be further amended as follows:

1. Page 2, line 1.
Following: "KNOWS"
Insert: ", or has reason to know,"

Amendment passed as follows:

Ayes: Bengtson, Blaylock, Boylan, Brown, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 27

Noes: Aklestad, Anderson, Christiaens, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, McCallum, Severson, Shaw, Stephens, Thayer, Tveit.
Total 21

Excused: Neuman.
Total 1

Absent or not voting: Smith.
Total 1

That SB 200, as amended, do pass. Senator Mazurek made a substitute motion that consideration on SB 200 be passed for the day. Substitute motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Conover, Crippen, Eck, Fuller, Galt, Goodover, Halligan, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Shaw,

Smith, Stephens, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 33

Noes: Brown, Christiaens, Daniels, Farrell, Gage, Haffey, Hager, Hammond, Harding, Keating, Kolstad, Severson, Stimatz, Thayer.
Total 14

Excused: Neuman.
Total 1

Absent or not voting: McCallum, Tveit.
Total 2

Senator Christiaens in the Chair.

SB 302 - That SB 302 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 316 - That SB 316, second reading copy, be amended as follows:

1. Page 2, line 4.
Following: "annexation;"
Strike: "and"

2. Page 2.
Following: line 4
Insert: "(ii) provisions relating to the assumption or nonassumption of existing community college district bonded indebtedness by the annexed area and provisions relating to the responsibilities of the annexed area for any bonded indebtedness if it withdraws from the district; and"
Renumber: subsequent subsection

3. Page 2, line 12.
Following: "QUESTION."
Insert: "The bonding provisions of the plan set forth pursuant to subsection (2)(a)(ii) may not be changed."

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens,

Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

That SB 316, as amended, do pass. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Kolstad, Lane, Manning, Mazurek, Mohar, Pinsoneault, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Yellowtail, Mr. President.
Total 32

Noes: Aklestad, Boylan, Christiaens, Conover, Eck, Hager, Jacobson, Lynch, McCallum, Regan, Towe, Van Valkenburg, Weeding.
Total 13

Excused: Neuman.
Total 1

Absent or not voting: Keating, Lybeck, Severson, Williams.
Total 4

SB 322 - That SB 322 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 332 - That SB 332 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Daniels.
Total 1

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 358 - That SB 358 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 363 - That SB 363 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 371 - That SB 371 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.

Total 0

SB 380 - That SB 380 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 384 - That SB 384 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Christiaens moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

BUSINESS AND INDUSTRY (Halligan, Chairman): 2/22/85

SB 340, do pass. Report adopted.

SB 353, introduced bill, be amended as follows:

1. Page 1.
Following: line 20
Insert: "at least"

And, as amended, do pass. Report adopted.

SB 438, introduced bill, be amended as follows:

1. Page 4, line 13.

Following: "(5)"
Strike: "["

2. Page 4, line 14.
Following: "exceed"
Strike: "$200"
Insert: "$40"
Following: "million."
Strike: "]"

3. Page 4, lines 14 through 16.
Following: "million.]"
Strike: remainder of line 14 through line 16

And, as amended, do pass. Report adopted.

SB 450, introduced bill, be amended as follows:

1. Page 7.
Following: line 22
Insert: "(7) Subsections (2), (3), and (6) of this section apply only to loans on which charges are made on an add-on basis and do not apply to loans on which charges are made on an interest-bearing basis."

And, as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Blaylock, Chairman): 2/22/85

SB 385, introduced bill, be amended as follows:

1. Title, line 8.
Following: "CONTRACTS"
Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 2, line 25.
Following: "2"
Strike: ","
Following: "except that"
Insert: ": (a)"

3. Page 3, line 1.
Following: "(e)"
Insert: "; (b) the provisions of Title 18, chapter 2, part 4, apply to all labor except donated labor;"

4. Page 3, line 2.
Following: "and"
Insert: "(c)"

5. Page 3.
Following: line 3
Insert: "NEW SECTION. Section 3. Effective date. This act is effective on passage and approval."

And, as amended, do pass. Report adopted.

SJR 21, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stimatz, Chairman): 2/22/85

SB 182, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
SB 182

A statement of intent is required for this bill because it requires that the motor vehicle division adopt motor carrier safety standards and provide for their implementation. The intention of the legislature is that the division adopt standards substantially similar to those promulgated by the public service commission pursuant to 69-12-201 and 69-12-203, prior to amendment by this bill, with such modifications as the division from time to time considers appropriate and in conformance with those and other applicable sections.

It is appropriate to quote the statement of intent that accompanied Chapter 227, Laws of 1981, which granted the public service commission its authority to adopt motor carrier safety standards:

"A statement of intent is required for this bill because it grants the Public Service Commission the authority to provide safety standards for motor vehicles used in commerce.

All interstate motor carriers, interstate private carriers, and carriers hauling unregulated commodities in interstate commerce must now meet equipment safety requirements and inspections as established by the Federal Motor Carrier Safety Regulations of the Department of Transportation. In addition, regulated intrastate motor carriers must also meet the same safety standards.

The Legislature intends to include large over-the-road trucks, in excess of 26,000 pounds GVW, used in commerce operating on Montana's highways to adhere to safety equipment standards. It is the intent of the Legislature to establish by regulation uniform safety standards and a safety inspection program that will focus on mechanical factors most often blamed for accidents involving trucks, passenger carriers, and hazardous material transporters. Included would be detailed inspections of brakes, steering components, tires, and driver logs where required.

It is intended that rules promulgated by PSC incorporate the "Critical Item Truck Inspection" program and that the rules include a procedure for conducting the inspection program as well as providing for a vehicle identification program acknowledging the inspection. The rules shall provide that safety infractions posing no imminent threat to public safety shall not result in an "out of service" order. Such a vehicle shall be allowed to proceed to obtain repairs before final inspection and issuance of inspection acknowledgment. It is recognized that repairing or parking large over-the--road trucks on the roadway is extremely dangerous."

JUDICIARY (Mazurek, Chairman): 2/22/85

SB 206, introduced bill, be amended as follows:

1. Page 4, line 4.
Following: "LIEN"
Insert: "notice, on a"
Following: "FORM"
Strike: ","

2. Page 4, line 9.
Following: "~~the~~"
Insert: "accompanied by or"

3. Page 4, lines 12 through 14.
Following: "~~dealer~~." on line 12
Strike: remainder of line 12 through "party." on line 14
Insert: "If the approved notice form is transmitted to the division, the security agreement or other lien instrument that creates the security interest must be retained by the secured party. A copy of

the security agreement is sufficient as a lien notice if it contains the name and address of the debtor and the secured party, the complete vehicle description, amount of lien, and is signed by the debtor."

And, as amended, do pass. Report adopted.

SB 217, introduced bill, be amended as follows:

1. Title, line 4.
Following: "ACT"
Strike: "REQUIRING"
Insert: "PROVIDING"

2. Title, line 5.
Following: "COURTS"
Insert: "MAY"

3. Title, line 6.
Following: line 5 "OF"
Strike: "10,000"
Insert: "20,000"

4. Page 1, line 22.
Following: "of"
Strike: "10,000"
Insert: "20,000"

5. Page 1, line 23.
Following: "~~may~~"
Strike: "must"
Insert: "may"

6. Page 4, lines 11 and 12.
Following: "hearings" on line 11
Strike: remainder of line 11 through "cases" on line 12

7. Page 6, lines 7 and 8.
Following: "~~and shall be~~" on line 7
Strike: remainder of line 7 through "judge" on line 8
Insert: "shall be set by city ordinance"

8. Page 7, lines 5 and 6.
Strike: subsection (a) in its entirety
Renumber: subsequent subsections

9. Page 8, line 10.
Following: "to"
Strike: "70%"
Insert: "100%"

10. Page 8.
Following: line 18
Insert: "(4) After the payment required by subsection (2), the clerk of court shall distribute 40% of any amount remaining in the municipal court account to the counties comprising the judicial district in which the municipal court is located, based upon the ratio of each county's population to the total population of the counties comprising the judicial district."

And, as amended, do pass. Report adopted.

SB 375, introduced bill, be amended as follows:

1. Page 9, line 20.

Following: "(5)."
Insert: "Extensions under this subsection may not extend the 3-year extension limitation provided in subsection (1)."

And, as amended, do pass. Report adopted.

SB 376, introduced bill, be amended as follows:

1. Page 3, line 12.
Following: "a person"
Insert: "who does not present an imminent threat of danger, but"

2. Page 7, line 14.
Following: "of"
Strike: "any person"
Insert: "a relative within the first degree of consanguinity or affinity or a legal guardian"

3. Page 7, line 18.
Following: "for"
Strike: "inpatient"

4. Page 12, lines 21 and 22.
Following: "proceeding"
Strike: remainder of line 21 through "commitment" on line 22

5. Page 14, line 12.
Following: "treatment"
Insert: "unless he is financially able"

6. Page 14, lines 17 and 18.
Following: "of the"
Strike: remainder of line 17 through "who" on line 18
Insert: "facility which"

7. Page 19, line 1.
Following: "~~procedure~~"
Strike: "procedures"
Insert: "procedure"

8. Page 19.
Following: line 1
Strike: "subsections"
Insert: "subsection"
Following: "(1)"
Strike: "and (2)"

9. Page 19, line 5.
Following: "~~subsection~~"
Strike: "subsections"
Insert: "subsection"
Following: "(1)"
Strike: "and (2)"

10. Page 19.
Following: line 6
Strike: "subsections"
Insert: "subsection"
Following: "(1)"
Strike: "and (2)"

And, as amended, do pass. Report adopted.

SB 414, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Lynch, Chairman): 2/21/85
SB 281, introduced bill, be amended as follows:

1. Title, line 7.
Following: "A"
Insert: "PERMANENT TOTAL BENEFITS"

2. Title, lines 7 through 10.
Following: "PAYMENT" on line 7
Strike: remainder of line 7 through "PERIOD;" on line 10
Insert: "BY DISCOUNTING IT BY 7 PERCENT, COMPOUNDED ANNUALLY; PROVIDING A METHOD FOR DETERMINING WHETHER A LUMP-SUM PAYMENT WILL BE GRANTED;"

3. Title, line 10.
Following: "AMENDING"
Strike: "SECTION"
Insert: "SECTIONS"
Following: "39-71-741,"
Insert: "39-71-2109, AND 39-71-2207,"
Following: "AN"
Insert: "APPLICABILITY DATE, RETROACTIVE EFFECT CLAUSE, AND AN"

4. Page 1, line 20.
Strike: "lump sum"
Insert: "lump-sum conversion of permanent total biweekly payments"

5. Page 1.
Following: line 20
Strike: line 21 through "period." on line 24
Insert: "must equal the estimated present value of the total unpaid permanent total biweekly payments, assuming interest at 7% per year, compounded annually, unless the conversion improves the financial condition of the worker or his beneficiary, as provided in subsection (2)(b)."

6. Page 2, line 9.
Following: "as to"
Strike: "what"

7. Page 2, lines 9 and 10.
Following: "what the" on line 9
Strike: remainder of line 9 through "be, the" on line 10

8. Page 2, line 11.
Following: "conversion."
Insert: "It is presumed that biweekly payments are in the best interests of the worker or his beneficiary. The approval or award of a lump-sum conversion by the division or the workers' compensation judge must be the exception, not the rule, and may be given only if the worker or his beneficiary demonstrates that his ability to sustain himself financially is more probable with a whole or partial lump--sum conversion than with the biweekly payments and his other available resources. The following procedure must be used by the division and the workers' compensation judge in determining whether a lump-sum conversion of permanent total biweekly payments will be approved or awarded:

(a) The difference between the present discounted value of a lump sum and the future value of the biweekly payments cannot be the only grounds for approving or awarding a lump-sum conversion.

(b) A lump-sum conversion that improves the financial condition of the worker or his beneficiary over what would have been reasonably expected had the worker not been injured or died can be approved or awarded only if the lump-sum conversion is limited to the purchase price to the insurer of an annuity that would yield an amount equal to the biweekly benefits payable over the estimated duration of the compensation period. The worker or his beneficiary must demonstrate the financial condition that would have been reasonably expected, taking into consideration his age, education, work experience, and probable job promotions and pay increases.

(c) If existing delinquent or outstanding debts are used as grounds for a lump-sum conversion, the worker or his beneficiary must demonstrate through a debt management plan that a lump sum for that purpose is necessary to sustain himself financially.

(d) If a business venture is used as grounds for a lump-sum conversion, the worker or his beneficiary must demonstrate through a business plan that a lump sum for that purpose is necessary to sustain himself financially. The business plan must at least show the feasibility of the business, given the market conditions in the intended market area, and the cash that will be available to him on a biweekly basis after start-up costs and other business expenses are considered throughout the expected life of the venture.

(3) If the division or the workers' compensation judge finds that an application for lump-sum conversion, does not adequately demonstrate the ability of the worker or his beneficiary to sustain himself financially, the division, or the workers' compensation judge if the division has not already so ordered, may order, at the insurer's expense, financial, medical, vocational rehabilitation, educational, or other evaluative studies to determine whether a lump-sum conversion is in the best interest of the worker or his beneficiary."

Renumber: subsequent subsections

9. Page 2.
Following: line 24
Insert: "Section 2. Section 39-71-2109, MCA, is amended to read:

"39-71-2109. When employer may be relieved from liability. Any employer bound by compensation plan No. 1 against whom liability may exist for compensation for permanent benefits under this chapter may, with the approval of the division, be relieved therefrom by:

(1) depositing the present value or the estimated present value of the total unpaid compensation for which such liability exists for permanent total benefits, assuming interest at ~~5%~~ 7% per annum, compounded annually, with the division; or

(2) ~~purchasing an annuity within the limitations provided by law in any insurance company granting annuities and authorized to transact business in this state, subject to the approval of the division~~ depositing with the division the sum of the unpaid permanent partial benefits for which such liability exists."

Section 3. Section 39-71-2207, MCA, is amended to read:

"39-71-2207. How insurer relieved from liability. Any compensation plan No. 2 insurer against whom liability may exist for compensation for permanent benefits under this chapter may, with the approval of the division, be relieved therefrom by:

(1) depositing the present value or the estimated present value of the total unpaid compensation for which such liability exists for permanent total benefits, assuming interest at ~~5%~~ 7% per annum, compounded annually, with the division; or

(2) ~~purchasing an annuity within the limitations provided by law in any insurance company granting annuities and authorized to transact business in this state, subject to the approval of the division~~ depositing with the division the sum of the unpaid permanent partial benefits for which such liability exists.""

Renumber: subsequent sections

10. Page 3.
Following: line 9
Insert: "NEW SECTION. Section 6. Applicability — retroactive effect. This act applies retroactively, within the meaning of 1-2-109, to injuries incurred and lump sums awarded or paid prior to the effective date of this act if a lump sum is awarded or paid for the injury or the award or settlement is reopened and redetermined after the effective date of this act. The mere passage of this act is not grounds for reopening any case."
Renumber: subsequent section

And, as amended, do pass. Report adopted.

SB 356, introduced bill, be amended as follows: 2/22/85

1. Title, line 5.
Following: "NEWSPAPER"
Insert: "AS A NEWSPAPER CARRIER OR PART-TIME CORRESPONDENT"

2. Page 2, line 8.
Following: "newspaper"
Insert: "as a newspaper carrier or part-time correspondent"

3. Page 2, line 23.
Following: "newspaper"
Insert: "as a newspaper carrier or part-time correspondent"

And, as amended, do pass. Report adopted.

SB 402, introduced bill, be amended as follows:

1. Page 1, lines 19 and 20.
Following: "partial" on line 19
Strike: "or" on line 19 through "disability" on line 20
Insert: "indemnity"

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Fuller, Chairman): 2/22/85
SB 116, introduced bill, be amended as follows:

1. Title, lines 4 and 5.
Following: "ENTITLED: "AN ACT" on line 4
Strike: remainder of line 4 through "ATTORNEYS;" on line 5

2. Title, line 7.
Following: "SALARY OF"
Insert: "NO MORE THAN TWO"

3. Title, lines 8 and 9.
Following: "ATTORNEYS;" on line 8

Strike: remainder of line 8 through "DEPUTIES;" on line 9

4. Title, line 11.
Following: "7-4-2502"
Strike: ","
Insert: "AND"
Following: "7-4-2503,"
Strike: "AND 7-4-2505,"

5. Page 1, line 16.
Following: "attorneys"
Strike: ","
Insert: "and"

6. Page 1, line 17.
Following: "salary of"
Strike: "the"
Insert: "two"

7. Page 1, lines 18 through 20.
Following: "7-4-2703" on line 18
Strike: remainder of line 18 through "deputies" on line 20

8. Page 3, line 17.
Following: "with"
Insert: "the salaries of the county attorney and no more than two deputies payable"

9. Page 3, lines 19 and 20.
Following: "auditor."
Strike: remainder of lines 19 and 20 in their entirety

10. Page 5, lines 21 through 25.
Following: "official" on line 21
Strike: remainder of line 21 through "class" on line 25

11. Page 6, line 19 through line 15, page 7.
Strike: subsection (d) in its entirety

12. Page 8, line 3 through line 1, page 9.
Strike: section 4 in its entirety
Renumber: subsequent sections

And, as amended, do pass. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman):
2/22/85

SB 458, introduced bill, be amended as follows:

1. Page 6, line 7.
Following: "ratios."
Insert: "(1)"

2. Page 6, line 10.
Following: "Warm Springs"
Strike: "as follows:"
Insert: ". (2) The department shall determine this ratio by rule for the following personnel:"

3. Page 6, line 11.
Strike: line 11 in its entirety

4. Page 6, line 12.
Strike: "5"

5. Page 6, line 13.
Strike: "2"

6. Page 6, line 14.
Strike: "2"

7. Page 6, line 15.
Strike: "20"

8. Page 6, line 16.
Strike: "25"

9. Page 6, line 17.
Strike: line 17 in its entirety

10. Page 8, line 4.
Following: "date."
Strike: "Section"
Insert: "Sections 4(2) and"

11. Page 8, lines 6 and 7.
Following: "effective"
Strike: "October 1, 1985"
Insert: "July 1, 1987"

And, as amended, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
SB 458

This bill requires a statement of intent because it grants the department of institutions authority to adopt rules to restrict admissions to the Montana state hospital in Warm Springs if necessary to achieve the staffing levels required by this bill.

It is the finding of the legislature that adequate habilitation cannot occur if the number of staff in relation to patients is insufficient to provide proper individual care, to control disturbances, and to protect the safety of patients from physical harm by other seriously disturbed patients.

Therefore, it is the intent of the legislature that the department of institutions limit admissions to the state hospital if the patient population is higher than the number permitted under the standards provided in the rules to be adopted by the department that require certain staff-patient ratios. It is contemplated that the department accomplish this goal to restrict patient levels by:

(1) providing for habilitation of patients in a community-based setting whenever possible;

(2) transferring patients to nonstate facilities;

(3) limiting voluntary admissions; and

(4) permitting habilitation in the institutionalized setting of the state hospital only if less restrictive alternatives are unavailable and if a person is so mentally ill as to require institutionalization.

In considering the administration of the provisions of this bill, the department should be guided by the practices and policies of other states, especially the administration of the Short-Doyle Act by the state of California.

Adverse Committee Reports

LOCAL GOVERNMENT (Fuller, Chairman): 2/22/85

SB 336, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Pinsoneault.
Total 1

Excused: Neuman.
Total 1

Absent or not voting: Farrell, Fuller.
Total 2

SB 398, do not pass. Adverse committee report adopted as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 42

Noes: Aklestad, Goodover, McCallum, Pinsoneault, Shaw, Van Valkenburg.
Total 6

Excused: Neuman.
Total 1

Absent or not voting: Hammond.
Total 1

MOTIONS

Senator Van Valkenburg moved that the rules be temporarily suspended in order to allow the drafting and introduction of a Committee on State Administration bill. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 42

Noes: Aklestad, Boylan, Galt, Hammond, Himsl, Shaw, Thayer.
Total 7

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

FIRST READING OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SJR 29, introduced by Weeding, Towe, Galt. Referred to Committee on Natural Resources.

Senator Van Valkenburg moved that the Senate adjourn until 9:00 a.m., February 23, 1985.

Motion carried.

Senate adjourned at 5:53 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

FORTY-SECOND LEGISLATIVE DAY

Helena, Montana
February 23, 1985

Senate Chambers
State Capitol

Senate convened at 9:00 a.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Neuman, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the fortieth legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 2/23/85

Correctly printed and placed on the members' desks: SB 21, SB 22, SB 74, SB 83, SB 116, SB 156, SB 182, SB 206, SB 217, SB 281, SB 284, SB 308, SB 338, SB 340, SB 353, SB 356, SB 365, SB 375, SB 376, SB 385, SB 387, SB 394, SB 402, SB 411, SB 414, SB 419, SB 433, SB 438, SB 447, SB 448, SB 450, SB 457, SB 458, SJR 21.

Correctly engrossed: SB 316.

Considered correctly engrossed: SB 72, SB 302, SB 322, SB 332, SB 358, SB 363, SB 371, SB 380, SB 384.

Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 2/23/85

Recommend that at the close of business February 23, 1985, the following employment be terminated:

Tiffani Rom.....Page
Roseann Story.....Page
Roger Shaffer.....Page
Seana McGarvey.....Page
Meg Jacoby.....Page
Robert Weiss.....Page
Eric Jacobson.....Page
Jennifer Morris.....Page
Michelle Moreni.....Page
Marshall Martin.....Page

Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 2/22/85

SB 423, introduced bill, be amended as follows:

1. Title, lines 4 through 6.
Following: "ENTITLED: "AN ACT"
Strike: remainder of line 4 through "COLLECTION;" on line 6

2. Title, line 6.
Following: "REQUIRING"
Strike: "BANKS"
Insert: "FINANCIAL INSTITUTIONS"

3. Title, lines 8 and 9.
Following: "AVAILABLE"
Strike: remainder of line 8 through "MCA" on line 9

4. Page 1, line 12 through line 3, page 4.
Strike: sections 1 and 2 in their entirety
Renumber: subsequent section

5. Page 4, line 4.
Strike: "NEW SECTION. Section 3. Bank's"
Insert: "Section 1. Financial institution's"

6. Page 4, line 7.
Following: "periods"
Strike: "provided in [section 2]"

7. Page 4, line 11.
Following: "by the"
Strike: "bank"
Insert: "financial institution"

8. Page 4, line 13.
Following: "next"
Strike: "banking"
Insert: "business"

9. Page 4, line 17.
Following: "of the"
Strike: "bank's"
Insert: "financial institution's"

10. Page 4, line 19.
Following: "each"
Strike: "bank"
Insert: "financial institution"

11. Page 4, line 23.
Following: "depository"
Strike: "bank"
Insert: "financial institution"

12. Page 5, line 3 through line 6, page 7.
Strike: sections 4 and 5 in their entirety

And, as amended, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Lynch, Chairman): 2/22/85
SB 409, introduced bill, be amended as follows:

1. Page 3, line 16.
Following: "chiropractic,"
Strike: "hospital,"

2. Page 3.
Following: line 17
Insert: ", excluding hospital services,"

3. Page 3, line 24.
Following: "chiropractic,"
Strike: "hospital,"

4. Page 4, line 1.
Following: "specialties"
Strike: "of medical charges"
Insert: ". Medical fees must be based on the median fees"

5. Page 4, line 3.
Following: "schedule."

Insert: "The division shall adopt rules establishing relative unit values, groups of specialties, the procedures insurers must use to pay for services under the schedule, and the method of determining the median of billed medical fees. These rules shall be modeled on the 1974 revision of the 1969 California Relative Value Studies."

And, as amended, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
SB 409

It is the intention of the legislature that the workers' compensation division publish an annual fee schedule which insurers must use to pay for medical, chiropractic, and paramedical services provided for in the Workers' Compensation and Occupational Disease Acts. The fee schedule is to be modeled on the 1974 revision of the 1969 California Relative Value Studies. The rules must establish the relative unit values, groups of specialties, and the payment procedures used in the California study unless the division has information and data that will allow a reliable adaptation of the California study to current Montana practice related to the care of occupationally injured or diseased workers. The rules should also define the method the division will use to annually determine the median of billed fees.

SB 440, introduced bill, be amended as follows:

1. Page 3, lines 3 and 4.
Following: "employer" on line 3
Strike: remainder of line 3 through "of" on line 4
Insert: "has lost his solvency or financial ability to pay"

2. Page 3, line 13.
Following: "for"
Strike: "such"
Insert: "the"
Following: "payment"
Insert: "of compensation"

And, as amended, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
SB 440

A statement of intent is required for this bill because it requires the adoption of rules by the workers' compensation division of the department of labor and industry.

The legislature intends that the division adopt only those rules required by section 4 of this bill.

The rules adopted by the division to implement section 4 should require the submission of information regarding the following:

(1) the requirements for formation and certification of an association, corporation, or organization of employers to operate as a group self-insured employer, including provisions for the addition of new members and the withdrawal of existing members;

(2) requirements for proof of solvency of the group self-insurer and to maintain security to insure payment of obligations under the act;

(3) requirements for an indemnity agreement and power of attorney between the individual employers within the group, including the requirement that all members of the group remain jointly and severally liable;

(4) requirements for and confirmation of excess liability insurance;

(5) requirements for management of the association and annual reports to the division;

(6) requirements for auditing the group self-insurer to determine that it is meeting its obligations under the Workers' Compensation Act;

(7) provisions for the termination of group self-insurance by the group on request and for termination by the division upon determination that the group no longer meets the requirements for certification as self-insured and for determining responsibility for pending claims.

The legislature intends that all group self-insured employers must comply with the provisions of the act and rules enacted thereunder. In developing rules, the legislature intends that employees of the group self-insurer have as much assurance as reasonably possible of the benefits to which they are entitled under the act.

SB 452, introduced bill, be amended as follows:

1. Page 5.
Following: line 11
Strike: "or"

2. Page 5, line 16.
Following: "75-3-202"
Strike: "."
Insert: "; or"

3. Page 5.
Following: line 16
Insert: "(e) sealed containers of hazardous chemicals during transportation or while in storage at transportation terminals, so long as existing labels are not removed or defaced and the employer complies with state and federal regulations relating to the transportation of hazardous chemicals."

4. Page 5, line 25, and lines 2, 4, and 5 on page 6.
Redesignate: subsections (i), (ii), (iii), and (iv) as (a), (b), (c), and (d)

5. Page 8, line 12.
Following: "located."
Insert: "Each employer shall maintain a copy of any correspondence sent or received by the employer in an effort to obtain a material safety data sheet for a hazardous chemical when none was provided by the chemical manufacturer or distributor."

6. Page 9.
Following: line 5
Strike: subsection (b) in its entirety
Renumber: subsequent subsections

7. Page 9.
Following: line 19
Strike: "informed by"
Following: "employer"
Insert: "records notice"

8. Page 9, lines 21 through 25.
Following: "workplace." on line 21
Strike: remainder of lines 21 through 25
Insert: "The county clerk and recorder shall index the information provided under subsection (1) by workplace name and all entries for a workplace must be grouped together in the index. The index must not be combined with any other type of index."

9. Page 16, line 18.
Following: "violated"
Strike: "and will continue to violate"

10. Page 16, line 19.
Following: "[this act]"
Insert: "and the health officer does not receive a corrective response within 10 days of notifying the employer of the violation"

11. Page 17, line 6.
Following: "occurred"
Insert: "and the county attorney does not receive a corrective response within 10 days of notifying the employer of the violation"

12. Page 17, line 14.
Following: "to be"
Insert: "knowingly"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 2/22/85
SB 324, introduced bill, be amended as follows:

1. Page 1.
Following: line 17
Insert: "NEW SECTION. Section 2. Purpose. (1) The purpose of [sections 1 through 20] is to allow lottery games in which the player purchases from the state, through the administrators of the state lottery, a chance to win a prize. [Sections 1 through 20] do not allow and may not be construed to allow any game in which a player competes against or plays with any other person, including a person employed by an establishment in which a lottery game may be played.

(2) The administration and construction of [sections 1 through 20] must comply with Article III, section 9, of the Montana constitution, which mandates that all forms of gambling are prohibited unless authorized by acts of the legislature or by the people through initiative or referendum. Therefore, [sections 1 through 20] must be strictly construed to allow only those games that are within the scope of this section and within the definition of "lottery game".

(3) The state lottery may not:

(a) operate a slot machine or carry on any form of gambling prohibited by the laws of this state; or

(b) carry on any form of gambling permitted by the laws of this state but which is not a lottery game within the scope of this section and within the definition of "lottery game"."
Renumber: subsequent sections

2. Page 1, line 21.
Strike: "3"
Insert: "4"

3. Page 1.
Following: line 22
Strike: "commission"
Insert: "governor"
Following: "[section"
Strike: "4"
Insert: "6"

4. Page 2, line 10.
Following: "except"
Insert: "games prohibited by Title 23, chapter 5, part 1; lotteries prohibited by Title 23, chapter 5, part 2; card games regulated by Title 23, chapter 5, part 3; raffles and bingo games governed by Title 23, chapter 5, part 4; and"

5. Page 3, line 11.
Following: "rate of"
Strike: "$100"
Insert: "$50"

6. Page 3, lines 17 through 19.
Following: "purposes only" on line 17
Strike: remainder of line 17 through "commission" on line 19
Insert: "as prescribed in 2-15-121"

7. Page 3.
Following: line 23
Strike: subsection (2) in its entirety
Renumber: subsequent subsections

8. Page 5, line 7.
Following: "director"
Strike: "is"
Insert: "must be"

9. Page 5, lines 8 and 9.
Following: "the" on line 8
Strike: remainder of line 8 through "cause" on line 9
Insert: "governor and shall hold office at the pleasure of the governor"

10. Page 6, line 5.
Following: "commission"
Strike: "direction or"

11. Page 6, line 6.
Following: "contracts"
Strike: "of no longer than 6 months"

12. Page 6, line 9.
Following: "lottery."
Insert: "All contracts must be made in accordance with state law."

13. Page 7, line 6.
Following: "contractors"
Strike: ";"
Insert: ". The security division is hereby designated a law enforcement agency for the purpose of administering [sections 1 through 20]."

14. Page 7, line 12.
Following: "attorney general"
Insert: ", the legislative auditor,"

15. Page 9, line 3.
Following: "director"
Strike: "may"
Insert: "shall"

16. Page 9.
Following: line 6

Strike: "administration"
Insert: "commerce, the office of the legislative auditor"

17. Page 10, line 4.
Following: "and employees,"
Strike: "any person"
Insert: "employees of any firm or governmental agency"

18. Page 11, line 1.
Strike: "Forty-five percent"
Insert: "Approximately 45%"

19. Page 11, line 7.
Following: "are"
Insert: "not"

20. Page 11, line 10.
Following: "prizes"
Insert: ", sales commissions,"

21. Page 11, line 12.
Strike: "11"
Insert: "12"

22. Page 12, line 6.
Following: "agent."
Insert: "Prior to appointment to any of the above positions, a person shall submit to the commission a full set of fingerprints made at a law enforcement agency by an agent or officer of such agency on forms supplied by the agency."

23. Page 13.
Following: line 6
Strike: "director"
Insert: "commission"

24. Page 15, line 9.
Following: "year"
Insert: "and shall submit to the commission a full set of fingerprints of such person made at a law enforcement agency by an agent or officer of such agency on forms supplied by the agency"

25. Page 17, lines 7 through 10.
Following: "the" on line 7
Strike: remainder of line 7 through "conduct" on line 10
Insert: "office of the legislative auditor shall conduct or have conducted"

26. Page 17, line 10.
Following: "comprehensive"
Strike: "study and evaluation"
Insert: "audit"

27. Page 17, line 11.
Following: "lottery."
Insert: "The costs of the audit must be paid out of the state lottery fund."

28. Page 17.
Following: line 11
Strike: "study"
Insert: "audit"

29. Page 18, line 19 through line 19, page 19.
Strike: section 19 in its entirety
Renumber: subsequent sections

30. Page 19, line 25.
Strike: "8"
Insert: "9"

31. Page 20, line 1.
Strike: "8"
Insert: "9"

32. Page 20, line 4.
Strike: "9"
Insert: "10"

33. Page 20, line 7.
Strike: "13"
Insert: "14"

34. Page 20, line 8.
Strike: "14"
Insert: "15"

35. Page 20, line 9.
Strike: "16"
Insert: "17"

36. Page 23, lines 14 and 15.
Following: "event" on line 14
Strike: remainder of line 14 through "act]" on line 15
Insert: "no later than November 1, 1985"

37. Page 24, line 2.
Following: "repaid"
Insert: "out of the lottery's net revenue"

38. Page 24, line 3.
Following: "advance"
Insert: ", and no net revenue may be paid out under [section 13(3)(b)] until all advanced funds are repaid"

And, as amended, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
SB 324

A statement of intent is required for this act because under the provisions of the act the state lottery commission must establish and operate a state lottery and adopt policies and rules regarding but not limited to:
(1) the operations of the lottery director and his staff;
(2) the price, number, and size of tickets or chances;
(3) the drawing of lottery winners;
(4) lottery tickets or chance sales and ticket or chance sales agents;
(5) the immediate payment of small prizes;
(6) lottery security;
(7) purchase or rental of gaming equipment and supplies; and
(8) other matters relating to the successful operation of the lottery.

A state lottery is primarily a business operation and has as a purpose the earning of net revenue. The successful operation of a state lottery, as shown by the experience of other state lotteries, depends to a large degree

upon the flexibility to operate the lottery as a business enterprise. The success of a lottery also depends upon the operation of the lottery within a statutory framework ensuring the integrity of the staff and all phases of the operation of the lottery and the avoidance of even the appearance of any illegalities or conflicts of interest.

To these ends, it is contemplated that the state lottery commission will be composed of persons conversant with the types of administrative rules necessary to the successful operation of the lottery and will adopt rules ensuring the integrity and success of the lottery.

In accord with the theory that a lottery is primarily a business, it is contemplated that the rules will change or allow changes in the operation of the lottery consistent with statutes as new business techniques and ideas, new games and prizes, better outlets for ticket sales, and better management techniques are discovered.

Any definitions contained in this act pertain only to the state lottery. It is the intent of the legislature that the state lottery commission operate a state lottery only, and it is not intended that the commission shall be involved in any way in other forms of gambling.

Taxation Committee excused at this time.

Adverse Committee Reports

LABOR AND EMPLOYMENT RELATIONS (Lynch, Chairman): 2/22/85

SB 430 - Committee adopted the following statement of intent:

Statement of Intent
SB 430

A statement of intent is required for this bill because section 2 requires the workers' compensation division to adopt rules for safety standards.

It is the intent of the legislature that the division provide a procedure for certifying shot firers that outlines the minimum qualifications for certification; the test procedure and administering authority, if other than the division, or recognized certification programs or authorities, if other than a state agency; and requirements for periodic recertification. The division may set appropriate certification fees and prescribe and issue certification.

It is the intent of the legislature that the division require foremen to have a basic knowledge of blasting material. The division should outline the extent to which such knowledge will be incorporated in the foreman's test and procedures and time frames for bringing existing foremen into compliance with the division's rules.

And, as amended, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Haffey, Hammond, Harding, Himsl, Jacobson, Kolstad, Lane, Lynch, Mohar, Pinsoneault, Regan, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 35

Noes: Manning.
Total 1

Excused: Brown, Eck, Goodover, Hager, Halligan, Hirsch, Keating, Lybeck, Mazurek, McCallum, Neuman, Severson, Shaw, Towe.
Total 14

Absent or not voting:

None.
Total 0

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 2/22/85

HB 160, introduced by Grady, et al.

HB 366, introduced by Ramirez, et al.

HB 447, introduced by J. Brown, et al.

HB 568, introduced by J.K. Moore, et al.

HB 634, introduced by Lory, et al.

HB 715, introduced by Spaeth, et al.

HB 726, introduced by Gould

HB 737, introduced by Bergene, et al.

HJR 26, introduced by Connelly, et al.

HJR 27, introduced by Nisbet, et al.

HJR 32, introduced by Switzer, et al.

FIRST READING OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SB 462, introduced by Gage, Keating. Referred to Committee on Local Government.

Committee on Taxation present at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 287 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Gage, Kolstad.
Total 2

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 314 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 319 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Mazurek.
Total 1

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 326 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 342 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Eck, Farrell, Fuller, Haffey, Hager, Halligan, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Mazurek, McCallum, Pinsoneault, Severson, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 34

Noes: Aklestad, Christiaens, Daniels, Gage, Galt, Goodover, Hammond, Harding, Keating, Lynch, Manning, Mohar, Regan, Shaw, Thayer.
Total 15

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 345 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 361 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 408 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: Weeding.
Total 1

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SJR 19 passed as follows:

Ayes: Bengtson, Blaylock, Boylan, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Regan, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 27

Noes: Aklestad, Anderson, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Thayer, Tveit.
Total 22

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

HB 349 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: McCallum.
Total 1

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Galt in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 397 - That SB 397 do pass. Motion failed as follows:

Ayes: Aklestad, Anderson, Bengtson, Brown, Gage, Galt, Hammond, Harding, Keating, McCallum, Pinsoneault, Severson, Smith, Story, Thayer.
Total 15

Noes: Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Goodover, Haffey, Hager, Halligan, Himsl, Hirsch, Jacobson,

Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Regan, Shaw, Stephens, Stimatz, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 34

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that SB 397 be indefinitely postponed. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Goodover, Haffey, Hager, Halligan, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Regan, Shaw, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 37

Noes: Aklestad, Brown, Gage, Galt, Harding, Keating, McCallum, Pinsoneault, Severson, Smith, Thayer.
Total 11

Excused: Neuman.
Total 1

Absent or not voting: Hammond.
Total 1

SB 406 - That SB 406 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SJR 23 - That SJR 23 do pass. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Galt, Haffey, Hager, Halligan, Hirsch, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 32

Noes: Aklestad, Crippen, Gage, Goodover, Harding, Himsl, Keating, Kolstad, Shaw, Smith, Stephens.
Total 11

Excused: Neuman.
Total 1

Absent or not voting: Hammond, Jacobson, Severson, Story, Tveit, Williams.
Total 6

SB 25 - That SB 25 do pass. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Mr. President.
Total 38

Noes: Aklestad, Boylan, Lane, McCallum, Smith, Tveit, Weeding, Yellowtail.
Total 8

Excused: Neuman.
Total 1

Absent or not voting: Hammond, Jacobson, Williams.
Total 3

SB 142 - That SB 142, without objection, be moved to the top of the board.

SB 142 - That SB 142 do pass. As a substitute motion Senator Van Valkenburg moved that SB 142 be moved below SB 354. Substitute motion carried unanimously.

SB 28 - That SB 28, second reading copy, be amended as follows:

1. Page 9, line 14.
Following: "and"
Strike: remainder of line 14 through "renegotiated," on line 15

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

That SB 28, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch,

Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 118 - That SB 118 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 129 - That SB 129 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 183 - That SB 183 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hammond, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Weeding, Yellowtail.
Total 38

Noes: Gage, Harding, McCallum, Mohar, Tveit, Van Valkenburg.
Total 6

Excused: Neuman.
Total 1

Absent or not voting: Hager, Halligan, Severson, Williams, Mr. President.
Total 5

SB 200 - Senator Daniels moved that SB 200, second reading copy, be amended as follows:

1. Page 1, line 13.
Following: "(1)"
Strike: "(A)"

2. Page 1.
Following: line 22
Strike: "(B)"
Insert: "(2)"

3. Page 2, lines 7 through 17.
Strike: subsection (2) in its entirety

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Thayer.
Total 1

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the Senate reconsider its action in passing Senator Daniels' amendment. Motion carried unanimously.

Senator Towe moved that SB 200, second reading copy, be amended as follows:

1. Page 2, line 1.
Following: "KNOWS"
Insert: ", or has reason to know,"

Amendment passed as follows:

Ayes: Blaylock, Brown, Conover, Daniels, Eck, Fuller, Haffey, Hager, Halligan, Himsl, Hirsch, Jacobson, Keating, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 27

Noes: Aklestad, Anderson, Bengtson, Boylan, Christiaens, Crippen, Farrell, Gage, Galt, Goodover, Hammond, Harding, Kolstad, Lane, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.

Total 22

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

Senator Mazurek moved that SB 200, second reading copy, be further amended as follows:

1. Page 2, line 25.
Following: "any"
Strike: "proceeding begun"
Insert: "claim arising"
Following: "after"
Strike: remainder of line 3 through "act]" on line 2, page 3
Insert: "October 1, 1985"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

Senator Daniels moved that SB 200, second reading copy, be further amended as follows:

1. Page 1, line 13.
Following: "(1)"
Strike: "(A)"

2. Page 1.
Following: line 22
Strike: "(B)"
Insert: "(2)"

3. Page 2, lines 7 through 17.
Strike: subsection (2) in its entirety

Amendment passed as follows:

Ayes: Blaylock, Boylan, Brown, Christiaens, Daniels, Eck, Fuller, Gage, Galt, Haffey, Halligan, Harding, Himsl, Jacobson, Lane, Lybeck, Lynch, Mazurek, Mohar, Regan, Severson, Smith, Stephens, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 31

Noes: Aklestad, Anderson, Bengtson, Conover, Crippen, Farrell, Goodover, Hager, Hammond, Hirsch, Keating, Manning, McCallum, Pinsoneault, Shaw, Thayer, Tveit.

Total 17

Excused: Neuman.
Total 1

Absent or not voting: Kolstad.
Total 1

That SB 200, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Eck, Farrell, Fuller, Galt, Goodover, Hager, Halligan, Hammond, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 38

Noes: Boylan, Crippen, Daniels, Gage, Haffey, Harding, Lynch, Regan, Severson.
Total 9

Excused: Neuman.
Total 1

Absent or not voting: Kolstad, Weeding.
Total 2

SB 266 - That SB 266 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 289 - That SB 289 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Regan.
Total 1

Excused: Neuman.
Total 1

Absent or not voting: None.

Total 0

SB 291 - That SB 291 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 307 - That SB 307 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 334 - That SB 334, second reading copy, be amended as follows:

1. Page 2, line 7.
Following: "to"
Strike: "designate"
Insert: "contribute, in addition to your existing tax liability,"

2. Page 2.
Following: line 10
Strike: "designate"
Insert: "contribute, in addition to your existing tax liability,"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

Senator Kolstad excused at this time.

That SB 334, as amended, do pass. Motion carried as follows:

Ayes: Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Haffey, Hager, Halligan, Hammond, Harding, Jacobson, Keating, Lane, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Smith, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 35

Noes: Aklestad, Bengtson, Farrell, Galt, Goodover, Himsl, Hirsch, Lybeck, McCallum, Severson, Shaw, Tveit, Williams.
Total 13

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 339 - That SB 339 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 349 - That SB 349, second reading copy, be amended as follows:

1. Page 4, line 6.
Following: "(2)"
Strike: "Except as provided in subsection (4), the"
Insert: "The"

2. Page 5, lines 4 through 8.
Strike: subsection (4) in its entirety

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch,

Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

That SB 349, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair.

SB 183 - Senator Mohar moved that SB 183 be segregated from the Committee of the Whole report and placed on second reading. Motion failed as follows:

Ayes: Aklestad, Blaylock, Christiaens, Crippen, Daniels, Gage, Goodover, Haffey, Harding, McCallum, Mohar, Smith, Stimatz, Van Valkenburg, Mr. President.
Total 15

Noes: Anderson, Bengtson, Boylan, Brown, Conover, Eck, Farrell, Fuller, Galt, Hager, Halligan, Hammond, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, Pinsoneault, Regan, Severson, Shaw, Stephens, Story, Thayer, Towe, Tveit, Weeding, Yellowtail.
Total 32

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: Williams.
Total 1

Chairman Galt moved the adoption of the committee report. Report adopted.

Senate recessed at 12:09 p.m.

Senate reconvened at 2:05 p.m.

REPORTS OF STANDING COMMITTEES

NATURAL RESOURCES (Eck, Chairman): 2/23/85

SB 258, introduced bill, be amended as follows:

1. Title, lines 6 through 7.
Strike: "PROVIDING A PENALTY FOR FAILURE TO GIVE NOTICE OF PLANNED DRILLING OPERATIONS;"

2. Title, line 7.
Strike: "TRIPLE"
Insert: "DOUBLE"

3. Title, line 8.
Following: "PAYMENTS;"
Insert: "REQUIRING AN OIL AND GAS DEVELOPER OR OPERATOR TO NOTIFY THE SURFACE OWNER OF HIS SPECIFIC INTENTIONS BEFORE COMMENCING DRILLING OPERATIONS;"

4. Title, line 9.
Strike: "82-10-502 AND"
Following: "82-10-504"
Insert: "AND 82-11-122"

5. Page 1, line 12 through line 7, page 2.
Strike: section 1 in its entirety
Renumber: subsequent sections

6. Page 3, line 7.
Strike: "triple"
Insert: "double"

7. Page 3, lines 8 through 11.
Strike: "(1) An oil and gas developer or operator who fails to provide notice as required by 82-10-503 is guilty of a misdemeanor and is punishable by a fine of not more than $500."

8. Page 3, line 12.
Strike: "(2)"

9. Page 3, line 13.
Strike: "make"
Insert: "timely pay an installment under"
Following: "damage"
Strike: "payment as required by any damage"

10. Page 3, line 15.
Following: "owner of"
Strike: "three times"
Insert: "twice"

11. Page 3, line 16.
Strike: "such payment"
Insert: "the unpaid installment if the installment payment is not paid within 60 days of receipt of notice of failure to pay from the surface owner"

12. Page 3.
Following: line 16
Insert: "Section 3. Section 82-11-122, MCA, is amended to read:

"82-11-122. Notice of intention to drill or conduct seismic operations — notice to surface owner. It is unlawful to commence the drilling of a well for oil or gas without first filing with the board written notice of intention to drill and obtaining a drilling permit as provided in 82-11-134. After the permit is issued, an oil and gas developer or operator as defined under 82-10-502 shall notify the surface owner of his specific intentions before commencing drilling operations. It is unlawful to conduct seismic explorations with explosives without first giving the board a copy of the notice of intention to explore filed with the county under 82-1-103."

NEW SECTION. Section 4. Codification instruction. Section 2 is intended to be codified as an integral part of Title 82, chapter 10, part 5, and the provisions of Title 82, chapter 10, part 5, apply to section 2.

NEW SECTION. Section 5. Extension of authority. Any existing authority of the board of oil and gas conservation to make rules on the subject of the provisions of this act is extended to the provisions of this act."

And, as amended, do pass. Report adopted.

SB 435, do pass. Report adopted.
SB 444, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
SB 444

A statement of intent is required for this bill because it directs the public service commission to adopt rules to:

(1) recognize a citizens' utility organization for the purpose of allowing the organization to represent and advocate the interests of residential utility consumers in proceedings before the commission;

(2) permit the citizens' utility organization access to utility customer billing envelopes; and

(3) regulate the activities of the citizens' utility organization with respect to its activities within the scope of this bill.

In devising its rules, the commission must provide the same requirements for the structure and membership of the organization as those set forth in sections 3 and 5.

In addition, the commission should review the articles of incorporation and the bylaws of the organization requesting recognition to ensure that the organization and its board have been given authority and responsibilities consistent with sections 4 through 8. Furthermore, the commission should ensure that the organization meets the requirements established for an interim board of directors as provided for in sections 9 and 10.

Before implementing the provisions of this bill, the commission may adopt additional rules to clarify the operation of sections 13 through 15 as regards access to utility billing envelopes. Furthermore, the commission may adopt other rules to regulate the activities of the organization; however, the commission must be guided by the following expressed findings of the legislature.

The legislature finds that adequate and affordable utility service to all residential utility consumers is in the public interest and that such service is necessary for the general welfare of the citizens of the state.

Moreover, the legislature declares it the policy of the state to foster and encourage active citizen participation in utility matters and to facilitate effective representation and advocacy of the interests of residential utility

consumers before regulatory agencies, the legislature, the courts, and other public bodies in order to ensure that public policies affecting the quality, cost, and delivery of utility service fairly reflect the needs and concerns of the residential utility consumer.

Therefore, the legislature finds that proper representation of residential utility consumers can best be secured by recognition of one permanent nonprofit organization which is under the democratic control of its membership and held solely responsible to the goals of its membership.

In order to ensure an adequate funding mechanism that will provide inclusion of the widest possible segment of the consuming public, the legislature considers it fitting and proper to allow access to utility billing envelopes by the organization recognized by the commission.

It is contemplated that, subject to the limitations placed on such access to billing envelopes, the organization may seek public membership in the organization and inform the public about utility matters affecting them. No rule adopted by the commission should so limit the organization as to burden the organization or defeat the spirit and purpose of this legislation.

TAXATION (Towe, Chairman): 2/23/85

SB 432, introduced bill, be amended as follows:

1. Page 1, line 22.
Following: "report"
Insert: "or supplements to the report"

2. Page 2, line 19.
Following: "identify"
Strike: "the"
Insert: "any known"

3. Page 2, line 22.
Following: "shall"
Insert: "outline the available data necessary to"

4. Page 2, lines 23 and 24.
Following: "treatment" on line 23
Strike: through "measured" on line 24

5. Page 3, line 1.
Following: "data"
Insert: ", if available,"

6. Page 3, line 16.
Following: "report"
Insert: "or supplements to the report"

7. Page 3, line 20.
Following: "report"
Insert: "or supplements to the report"

And, as amended, do pass. Report adopted.

Minority and Majority Report

LABOR AND EMPLOYMENT RELATIONS (Lynch, Chairman): 2/22/85

SB 393, majority report, be amended as follows:

1. Title, lines 6 through 15.
Following: "INDUSTRY;" on line 6
Strike: remainder of line 6 through "BENEFITS;" on line 15

2. Title, line 16.
Following: "39-51-603,"

Strike: "39-51-2105,"

3. Title.
Following: line 16
Strike: "39-51-2201, 39-51-2302,"

4. Title, lines 19 and 20.
Following: "DATES" on line 19
Strike: remainder of line 19 through "DATE" on line 20

5. Page 9, line 2 through line 10, page 12.
Strike: sections 4 through 6 in their entirety
Renumber: subsequent sections

6. Page 18, line 23.
Following: "1 through"
Strike: "3, 7 through 12"
Insert: "9"

7. Page 18.
Following: line 23
Strike: "14"
Insert: "11"

And, as amended, do not pass.

Majority Committee members are:

Senator Lynch
Senator Blaylock
Senator Haffey
Senator Manning
Senator Towe

Senator Lynch moved that the majority committee report be adopted. Senator Keating made a substitute motion that the minority committee report be adopted.

SB 393, minority report, be amended as follows:

1. Title, lines 6 through 15.
Following: "INDUSTRY;" on line 6
Strike: remainder of line 6 through "BENEFITS;" on line 15

2. Title, line 16.
Following: "39-51-603,"
Strike: "39-51-2105,"

3. Title.
Following: line 16
Strike: "39-51-2201, 39-51-2302,"

4. Title, lines 19 and 20.
Following: "DATES" on line 19
Strike: remainder of line 19 through "DATE" on line 20

5. Page 9, line 2 through line 10, page 12.
Strike: sections 4 through 6 in their entirety
Renumber: subsequent sections

6. Page 18, line 23.
Following: "1 through"
Strike: "3, 7 through 12"
Insert: "9"

7. Page 18.
Following: line 23
Strike: "14"
Insert: "11"

And, as amended, do pass.

Minority Committee members are:

Senator Aklestad
Senator Keating
Senator Thayer

The substitute motion failed as follows:

Ayes: Aklestad, Anderson, Boylan, Crippen, Farrell, Gage, Galt, Goodover, Hammond, Harding, Himsl, Keating, Kolstad, Severson, Shaw, Smith, Stephens, Thayer, Tveit.
Total 19

Noes: Bengtson, Blaylock, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 30

Paired: Crippen, Kolstad, Ayes; Christiaens, Neuman, Noes.

Excused: None.
Total 0

Absent or not voting: Hager.
Total 1

The majority committee report was adopted as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Stephens, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 33

Noes: Aklestad, Farrell, Gage, Galt, Goodover, Hammond, Harding, Himsl, Keating, Severson, Shaw, Smith, Thayer, Tveit.
Total 14

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: Hager.
Total 1

MOTIONS

Senator Towe moved that the Senate reconsider its action on the 41st legislative day in adopting the adverse committee report on SJR 22 and that it be printed and placed on second reading. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Halligan, Harding, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 36

Noes: Aklestad, Boylan, Crippen, Galt, Himsl, Keating, Kolstad, McCallum, Shaw, Stephens, Thayer, Tveit.
Total 12

Paired: Neuman, Towe, Ayes; Crippen, Kolstad, Noes.

Excused: None.
Total 0

Absent or not voting: Hager, Hammond.
Total 2

Senator Hager excused at this time.

Senator Bengtson moved that SB 279 be taken from the Committee on Local Government and that it be printed and placed on second reading. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Christiaens, Conover, Daniels, Farrell, Gage, Galt, Haffey, Hammond, Harding, Himsl, Hirsch, Lane, Lybeck, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Tveit, Weeding, Williams, Yellowtail.
Total 29

Noes: Blaylock, Brown, Crippen, Eck, Fuller, Goodover, Halligan, Jacobson, Keating, Lynch, Manning, Mazurek, Mohar, Regan, Thayer, Towe, Van Valkenburg, Mr. President.
Total 18

Excused: Hager, Kolstad, Neuman.
Total 3

Absent or not voting: None.
Total 0

FIRST READING OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SB 463, introduced by Haffey, (By Request of the Senate State Administration Committee). Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Galt in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 352 - That SB 352 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Hager, Kolstad, Neuman.
Total 3

Absent or not voting: None.
Total 0

SB 354 - That SB 354 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Hager, Kolstad, Neuman.
Total 3

Absent or not voting: None.
Total 0

SB 142 - That SB 142, second reading copy, be amended as follows:

1. Title, line 5.
Following: "TRUCKS"
Insert: "INCLUDED IN THE FLAT FEE SYSTEM"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Hager, Kolstad, Neuman.
Total 3

Absent or not voting: None.
Total 0

That SB 142, as amended, do pass. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Haffey, Halligan, Harding, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Towe, Van Valkenburg, Williams, Mr. President.
Total 27

Noes: Aklestad, Boylan, Gage, Galt, Goodover, Hammond, Himsl, Hirsch, Keating, McCallum, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Weeding, Yellowtail.

Total 20

Excused: Hager, Kolstad, Neuman.
Total 3

Absent or not voting: None.
Total 0

SB 362 - That SB 362 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 39

Noes: Boylan, Galt, Hammond, Keating, Shaw.
Total 5

Excused: Hager, Kolstad, Neuman.
Total 3

Absent or not voting: Blaylock, Story, Mr. President.
Total 3

SB 366 - That SB 366, second reading copy, be amended as follows:

1. Title, line 9.
Strike: "SECTION"
Insert: "SECTIONS"
Following: "19-13-104,"
Insert: "19-13-1006, AND 19-13-1007,"

2. Page 3, lines 14 through 20.
Strike: ":" on line 14 through "retired" on line 20
Insert: "employed"

3. Page 5.
Following: line 20
Insert: "Section 2. Section 19-13-1006, MCA, is amended to read:

"19-13-1006. Supplement to certain retirement allowances. (1) Notwithstanding 19-13-104(14), for the purpose of calculating the allowance supplement provided for in this section for a member retired before July 1, 1973, the monthly compensation paid to a confirmed active firefighter does not include the monthly contribution for group insurance provided for in 7-33-4130. ~~(1)~~(2) The plan shall pay to each firefighter retired before July 1, 1973, or his surviving spouse or children a monthly retirement allowance of not less than one-half the ~~regular~~ monthly ~~salary~~ compensation paid to a confirmed active firefighter of the city that last employed him as a firefighter, as provided each year in the budget of that city. If the city that last employed him as a firefighter no longer employs a full-paid firefighter, the firefighter's or his beneficiary's allowance may not be less than one-half the average ~~regular~~ monthly ~~salary~~ compensation paid to all newly confirmed full-paid firefighters, as provided each year in the budgets of those cities that participate in the plan and employ a full-paid firefighter. In the case of volunteer firefighters, the retirement allowance may not exceed $75 per month. Distribution of the money provided for this purpose under 19-11-606(1) shall be made according to subsection ~~(2)~~(3).

~~(2)~~(3) At the beginning of each fiscal year the administrator shall request and the state auditor shall issue from the state special revenue fund and deliver to the administrator an amount certified to be equal to the total annual dollar difference between the total retirement allowances paid to all retirees or their surviving spouses or children in the previous fiscal year and the total benefits payable on June 30, 1973. The administrator shall deposit this money into the fund."

Section 3. Section 19-13-1007, MCA, is amended to read:

"19-13-1007. Allowance adjustment. (1) Notwithstanding 19-13-104(14), for the purpose of calculating the allowance adjustment provided for in this section for a member retired before July 1, 1985, the monthly compensation paid to a newly confirmed, active firefighter does not include the monthly contribution for group insurance provided for in 7-33-4130. ~~(1)~~ (2) For a member retiring on or after July 1, 1973, who was hired before July 1, 1981, or his surviving spouse or dependent children, the service retirement allowance provided in 19-13-704(1)(a), the disability retirement allowance provided in 19-13-803(1), and the survivorship allowance provided in 19-13-902(1) may not be less than one-half the monthly compensation paid to a newly confirmed, active firefighter of a city that last employed him as a firefighter, as provided each year in the budget of that city.

~~(2)~~(3) For a member hired on or after July 1, 1981, or his surviving spouse or dependent children, the disability retirement allowance provided in 19-13-803(2) and the survivorship allowance provided in 19-13-902(2) may not be less than one-half the monthly compensation paid to a newly confirmed, active firefighter of a city that last employed him as a firefighter, as provided each year in the budget of that city.

~~(3)~~(4) If after a member retires, the city that last employed him no longer employs a full-paid firefighter, the member's or his beneficiary's allowance under subsections ~~(1)~~ (2) and ~~(2)~~ (3) must be adjusted on the basis of the average monthly compensation paid to all newly confirmed full-paid firefighters, as provided each year in the budgets of those cities that participate in the plan and employ a full-paid firefighter.

~~(4)~~(5) If the employment of a vested member hired before July 1, 1981, is involuntarily discontinued before he reaches age 50 because of the termination of employment of all full-paid firefighters in the city that employed him, his service retirement allowance provided in 19-13-704(1)(b) and his spouse's or dependent child's survivorship allowance provided in 19-13-902(1) may not be less than:

(a) if the member has completed 20 years or more of service, one-half the average monthly compensation paid to all newly confirmed, full-paid firefighters, as provided each year in the budgets of those cities that participate in the plan and employ a full-paid firefighter; or

(b) if the member has completed more than 10 but less than 20 years of service, 2% of the average monthly compensation paid to all newly confirmed, full-paid firefighters, as provided each year in the budgets of those cities that participate in the plan and employ a full-paid firefighter, for each year of the member's service.

~~(5)~~(6) In lieu of the benefit adjustment provided in subsection ~~(4)~~ (5), a member may elect to receive an early retirement allowance, beginning upon termination of employment, that is the actuarial equivalent of the accrued portion of the service retirement allowance that would have been payable to him beginning at age 50.""

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Hager, Kolstad, Neuman.
Total 3

Absent or not voting: None.
Total 0

That SB 366, as amended, do pass. Motion failed as follows:

Ayes: Boylan, Christiaens, Conover, Fuller, Haffey, Jacobson, Lybeck, Lynch, Manning, McCallum, Pinsoneault, Stimatz, Williams, Mr. President.
Total 14

Noes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Crippen, Eck, Farrell, Gage, Galt, Goodover, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Lane, Mazurek, Mohar, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding.
Total 31

Excused: Hager, Kolstad, Neuman.
Total 3

Absent or not voting: Daniels, Yellowtail.
Total 2

Senator Regan moved that SB 366 be indefinitely postponed. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Conover, Crippen, Eck, Farrell, Gage, Galt, Goodover, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Lane, Mazurek, McCallum, Mohar, Regan, Severson, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams.
Total 33

Noes: Boylan, Christiaens, Daniels, Fuller, Haffey, Jacobson, Lybeck, Lynch, Manning, Pinsoneault, Stimatz.
Total 11

Excused: Hager, Kolstad, Neuman.
Total 3

Absent or not voting: Shaw, Yellowtail, Mr. President.
Total 3

SB 369 - That SB 369, second reading copy, be amended as follows:

1. Page 5, line 12.
Following: "OF"
Strike: "85-15-102(2) AND (3),"

2. Page 5, line 13.
Following: "85-15-103"
Strike: ", AND THIS ACT"
Insert: "and [sections 1, 2, and 6 through 20]"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Hager, Kolstad, Neuman.
Total 3

Absent or not voting: None.
Total 0

That SB 369, as amended, do pass. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Halligan, Harding, Himsl, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Pinsoneault, Regan, Smith, Stephens, Stimatz, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 34

Noes: Aklestad, Boylan, Goodover, Hammond, Hirsch, Mazurek, Severson, Shaw, Thayer.
Total 9

Excused: Hager, Kolstad, Neuman.
Total 3

Absent or not voting: Brown, McCallum, Mohar, Story.
Total 4

SB 372 - That SB 372 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Hager, Kolstad, Neuman.
Total 3

Absent or not voting: None.
Total 0

SB 377 - That SB 377 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Hager, Kolstad, Neuman.
Total 3

Absent or not voting: None.
Total 0

SB 378 - That SB 378 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Hager, Kolstad, Neuman.
Total 3

Absent or not voting: None.
Total 0

SB 379 - That SB 379 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Hager, Kolstad, Neuman.
Total 3

Absent or not voting: None.

Total 0

SB 382 - That SB 382, second reading copy, be amended as follows:

1. Page 3.
Following: line 20
Insert: "(4) Beginning September 1, 1986, the board of public education shall report to the budget director the cost of a basic education in Montana based upon analysis of reports submitted pursuant to 20-2-121(13), MCA."
Renumber: subsequent subsection

2. Page 7, line 8.
Following: "legislature;"
Strike: "and"

3. Page 7.
Following: line 8
Insert: "(13) direct that each school district submit to the board of public education on or before July 1 in the even-numbered year preceding the convening of the legislature a report of the district's costs in meeting the accreditation standards required by the board, program by program; and"
Renumber: subsequent subsection

Amendment failed as follows:

Ayes: Anderson, Boylan, Brown, Crippen, Daniels, Farrell, Haffey, McCallum, Pinsoneault, Severson, Shaw, Smith, Tveit, Weeding.
Total 14

Noes: Aklestad, Bengtson, Blaylock, Christiaens, Conover, Eck, Fuller, Gage, Galt, Goodover, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lynch, Manning, Mazurek, Mohar, Regan, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 32

Excused: Hager, Kolstad, Neuman.
Total 3

Absent or not voting: Lybeck.
Total 1

That SB 382 do pass. Motion carried as follows:

Ayes: Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Gage, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Regan, Severson, Stephens, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 30

Noes: Aklestad, Anderson, Crippen, Farrell, Galt, Goodover, Hammond, Harding, Himsl, Keating, McCallum, Pinsoneault, Shaw, Smith, Story, Thayer, Tveit.
Total 17

Excused: Hager, Kolstad, Neuman.
Total 3

Absent or not voting: None.
Total 0

SB 388 - That SB 388 do pass. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 36

Noes: Aklestad, Daniels, Eck, Hammond, Keating, McCallum, Mohar, Story.
Total 8

Excused: Hager, Kolstad, Neuman.
Total 3

Absent or not voting: Mazurek, Van Valkenburg, Williams.
Total 3

SB 389 - That SB 389 do pass. Motion failed as follows:

Ayes: Eck, Fuller, Gage, Haffey, Harding, Hirsch, Jacobson, Lybeck, Lynch, Manning, Mazurek, McCallum, Pinsoneault, Severson, Stimatz, Van Valkenburg, Yellowtail.
Total 17

Noes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Galt, Goodover, Halligan, Hammond, Himsl, Keating, Lane, Mohar, Regan, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Weeding, Mr. President.
Total 29

Excused: Hager, Kolstad, Neuman.
Total 3

Absent or not voting: Williams.
Total 1

Senator Mohar moved that SB 389 be indefinitely postponed. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Galt, Goodover, Hammond, Himsl, Jacobson, Keating, Lane, Lybeck, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 35

Noes: Eck, Fuller, Gage, Haffey, Halligan, Harding, Hirsch, Lynch, Manning, Mazurek, Stimatz.
Total 11

Excused: Hager, Kolstad, Neuman.
Total 3

Absent or not voting: Williams.
Total 1

SB 401 - That SB 401 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Pinsoneault, Regan, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Yellowtail.

Total 39

Noes: Mohar, Severson.
Total 2

Excused: Hager, Kolstad, Neuman.
Total 3

Absent or not voting: Blaylock, Gage, Smith, Tveit, Williams, Mr. President.
Total 6

SB 404 - That SB 404 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Hager, Kolstad, Neuman.
Total 3

Absent or not voting: None.
Total 0

SB 420 - That SB 420, second reading copy, be amended as follows:

1. Title, line 14.
Following: "ARE"
Strike: "NOT"
Following: "STATE"
Strike: "GENERAL"
Insert: "SPECIAL REVENUE"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Hager, Kolstad, Neuman.
Total 3

Absent or not voting: None.
Total 0

That SB 420, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Hager, Kolstad, Neuman.
Total 3

Absent or not voting: None.
Total 0

SB 422 - That SB 422 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Hager, Kolstad, Neuman.
Total 3

Absent or not voting: None.
Total 0

SB 427 - Senator Manning moved that consideration on SB 427 be passed. Motion carried unanimously.

SJR 20 - That SJR 20 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Hager, Kolstad, Neuman.
Total 3

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Galt moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

HIGHWAYS AND TRANSPORTATION (Stimatz, Chairman): 2/23/85

SB 396, introduced bill, be amended as follows:

1. Title, line 5.
Following: "A"
Strike: "HALF-MILE"
Insert: "QUARTER-MILE"

2. Title, line 10.
Following: "AMENDING"
Strike: "SECTIONS 61-8-303 AND"
Insert: "SECTION"

3. Page 1, line 14 through line 3, page 3.
Strike: section 1 in its entirety
Renumber: subsequent sections

4. Page 3, line 8.
Following: "investigation"
Insert: "conducted by the local authority in the case of a school zone"

5. Page 3, line 19.
Following: "a"
Strike: "half-mile"
Insert: "quarter-mile"

6. Page 4, line 11.
Following: "~~61-8-309.~~"
Insert: "(4) The commission has exclusive jurisdiction, except as provided in 61-8-310(1), to set special speed limits on all federal-aid highways or extensions thereof in all municipalities or urban areas. The commission shall set these limits in accordance with 61-8-309."

7. Page 4, line 15.
Following: "with"
Strike: "61-8-306 and 61-8-310"
Insert: "61-8-310(1)"

8. Page 4, line 22.
Following: "Section"
Strike: "3"
Insert: "2"

9. Page 4, line 24.
Following: "section"
Strike: "3"
Insert: "2"

And, as amended, do pass. Report adopted.

SJR 27, do pass. Report adopted.

JUDICIARY (Mazurek, Chairman): 2/23/85

SB 364, introduced bill, be amended as follows:

1. Title, line 5.
Following: "SELLS"
Strike: "AN OPIATE"
Insert: "A DANGEROUS DRUG"

2. Page 2, lines 2, 6, and 16.
Following: "shall be"
Insert: "punished by death, as provided in 46-18-301 through 46-18-310, or"

3. Page 2, line 11.
Following: "minor,"
Strike: "the sentence"
Insert: "a sentence of imprisonment"

4. Page 3, line 19.
Following: "sale of"
Strike: "an opiate"
Insert: "a dangerous drug"

5. Page 3, line 22.
Following: "of the"
Strike: "opiate"
Insert: "drug"

6. Page 4, line 2.
Following: "that the"
Strike: "opiate"
Insert: "drug"

7. Page 4, line 3.
Following: "defendant"
Strike: "was the introduced opiate that"

8. Page 4, line 4.
Following: "person"
Insert: "or that the death would not have occurred if the drug had not been introduced"

And, as amended, do pass. Report adopted.

SB 392, do pass. Report adopted.
SB 412, introduced bill, be amended as follows:

1. Page 4, line 2.
Following: "46-18-222,"
Insert: "if the victim was less than 16 years old,"

2. Page 4, lines 4 and 5.
Following: "45-5-504," on line 4
Strike: "or"
Following: "45-5-505"
Strike: remainder of line 4 through "old" on line 5
Insert: ","

And, as amended, do pass. Report adopted.

SB 418, do pass. Report adopted.
SB 421, introduced bill, be amended as follows:

1. Title, line 5.
Following: "LANDOWNER"
Insert: ", HIS AGENT,"
Following: "OR"
Insert: "HIS"

2. Title, line 7.
Following: "LANDOWNER'S"

Insert: ", HIS AGENT'S,"
Following: "OR"
Insert: "HIS"

3. Page 1, line 10.
Following: "landowner"
Insert: ", agent,"

4. Page 1, line 18.
Following: "landowner"
Insert: ", his agent,"
Following: "or"
Insert: "his"

And, as amended, do pass. Report adopted.

SB 424, introduced bill, be amended as follows:

1. Page 1, line 16.
Following: "purposes"
Insert: "or for the purpose of crossing the land to reach surface waters"

And, as amended, do pass. Report adopted.

SB 429, introduced bill, be amended as follows:

1. Page 2, line 24.
Following: "States"
Insert: ", including corporations which have qualified to transact business in this state under Title 35"

2. Page 32, line 16.
Following: "must"
Strike: "have"

3. Page 32, line 17.
Following: "acquisition"
Strike: ","
Insert: ": (a) have"

4. Page 32, line 20.
Strike: "(a)"
Insert: "(i)"

5. Page 32, line 21.
Strike: "(b)"
Insert: "(ii)"

6. Page 32, line 25.
Following: "registered office"
Strike: "."
Insert: "; and"

7. Page 33.
Following: line 25 on page 32
Insert: "(b) file with the secretary of state an initial version of the report required by subsection (3)."

8. Page 33, line 3.
Following: "designation"
Insert: ", and until such acceptance has been filed, the corporation is not in compliance with subsection (1)"
Following: "may"

Insert: "nonetheless"

9. Page 33, line 4.
Following: "agent"
Insert: "designated, as against the corporation, regardless of whether or not an acceptance has been filed"

10. Page 33, line 5.
Following: "(3)"
Strike: "An"
Insert: "Each"

11. Page 33, line 6.
Following: "state"
Strike: "on January 1"
Insert: "before April 15"
Following: "a"
Strike: "sworn"
Following: "report"
Insert: "verified for the corporation by its president or a vice president and by its secretary or treasurer"
Following: "on"
Strike: "such"

12. Page 33, line 7.
Following: "forms"
Strike: "as"
Insert: "prescribed by"
Following: "state"
Strike: "shall prescribe"

13. Page 33, line 9.
Following: "corporation"
Insert: "and the country under the laws of which it is incorporated"

14. Page 33, line 10.
Following: "(b) the"
Strike: "street"
Following: "address"
Insert: ", including street and number, if any,"

15. Page 33, line 11.
Following: "corporation"
Insert: "in the country under the laws of which it is incorporated"

16. Page 33, line 12.
Following: "(c) the"
Strike: "name and street address"
Insert: "names and respective addresses, including street and number, if any,"

17. Page 33, lines 14 and 15.
Following: "(d) the" on line 14
Strike: "name and street"
Following: "of the"
Strike: remainder of line 14 through "agent and" on line 15

18. Page 33, line 15.
Following: "corporation"
Insert: "in this state and the name of its registered agent in this state at such address, including street and number, if any"

19. Page 33, lines 16 through 19.
Following: "(e)" on line 16
Strike: remainder of line 16 through "filing" on line 19
Insert: "that the information therein contained is accurate as of the date of execution"

20. Page 33, line 20.
Following: "shall"
Insert: "charge and"
Following: "collect"
Strike: remainder of line 20 through line 22
Insert: "fees for filing documents as required by [sections 31 and 32]. Such fees shall be established by the secretary of state and adopted by administrative rule. The fees must be reasonably related to the costs of processing the documents."

21. Page 33, lines 23 through 25.
Strike: subsection (5) in its entirety
Renumber: subsequent subsections

22. Page 34.
Following: line 9
Insert: "(7) An alien corporation is deemed to be in compliance with this section if it has qualified, and continues in good standing, under chapters 1, 2, or 4 of Title 35.

NEW SECTION. Section 32. Change of registered agent or registered office of alien corporation. (1) An alien corporation may change its registered office or its registered agent, or both, upon filing in the office of the secretary of state a statement setting forth:

(a) the name of the corporation;

(b) the address, including street and number, if any, of its then registered office;

(c) if the address of its registered office be changed, the address, including street and number, if any, to which the registered office is to be changed;

(d) the name of its then registered agent;

(e) if its registered agent be changed, the name of its successor registered agent; and

(f) that the address, including street and number, if any, of its registered office and the address of the business office of its registered agent, as changed, will be identical.

(2) Such statement shall be executed for the corporation by any officer thereof and delivered to the secretary of state. If the secretary of state finds that such statement conforms to the provisions of this chapter, he shall, upon payment of the required fee, file such statement in his office and, upon such filing, the change of address of the registered office or the appointment of a new registered agent, or both, as the case may be, shall become effective.

(3) A registered agent of an alien corporation may resign as registered agent upon executing a written notice of resignation and filing one original and one copy with the secretary of state, who shall immediately mail a copy thereof to the corporation at its principal office. The appointment of the agent shall, however, not terminate

until his successor has been appointed and such successor has filed his acceptance."
Renumber: subsequent sections

And, as amended, do pass. Report adopted.

SB 446, introduced bill, be amended as follows:

1. Page 1, line 18.
Following: "any"
Insert: "permanent"

2. Page 2.
Following: line 23
Strike: "having possession"
Following: "such"
Strike: "possession"
Insert: "fact"

And, as amended, do pass. Report adopted.

SB 449, introduced bill, be amended as follows:

1. Title, line 6.
Following: "OFFENSE;"
Strike: "REQUIRING"
Insert: "AUTHORIZING"

2. Title, lines 7 and 8.
Following: "ABUSE;" on line 7
Strike: remainder of line 7 through "CIRCUMSTANCES;" on line 8

3. Page 2, line 11.
Following: "spouse,"
Strike: "adult person related by blood or marriage,"

4. Page 2, lines 21 through 24.
Strike: section 2 in its entirety
Renumber: subsequent sections

5. Page 4, line 9.
Following: "member."
Insert: "A summons of a peace officer to the home or private dwelling by a family or household member constitutes an exigent circumstance for making an arrest pursuant to 46-6-401(2)."

6. Page 5, line 1.
Following: "officer"
Strike: "shall"
Insert: "may"

7. Page 5, lines 6 through 8.
Following: "officer."
Strike: remainder of line 6 through line 8 in their entirety
Insert: "A summons of a peace officer to a place of residence by a family or household member constitutes an exigent circumstance for making an arrest."

And, as amended, do pass. Report adopted.

SB 451, introduced bill, be amended as follows:

1. Title, lines 7 through 9.
Following: "WITNESSES,"

Strike: remainder of line 7 through "DATE" on line 9

2. Page 5, lines 14 through 18.
Strike: section 7 in its entirety
Renumber: subsequent sections

3. Page 6, line 25 through line 4, page 7.
Strike: section 12 in its entirety
Renumber: subsequent sections

4. Page 7, line 6.
Following: "through"
Strike: "12"
Insert: "10"

5. Page 7, lines 9 through 11.
Strike: section 14 in its entirety

And, as amended, do pass. Report adopted.

SB 453, introduced bill, be amended as follows:

1. Page 4, line 19.
Following: "(a)"
Strike: "willfully"
Insert: "purposely"

2. Page 4, line 22.
Following: "(b)"
Strike: "willfully"
Insert: "purposely"

3. Page 5, line 6.
Following: "(c)"
Strike: "willfully"
Insert: "purposely"

4. Page 5, line 11.
Following: "(d)"
Strike: "willfully"
Insert: "purposely"

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Fuller, Chairman): 2/23/85

SB 325, introduced bill, be amended as follows:

1. Title, line 9.
Following: "FEE;"
Insert: "AMENDING SECTION 35-18-503, MCA;"

2. Page 1, lines 17 and 18.
Strike: subsection (2) in its entirety
Renumber: subsequent subsections

3. Page 3, line 9.
Following: "utility"
Insert: ", cooperative telephone company, or any other entity"

4. Page 6, line 14.
Following: "(c)"
Strike: "public utilities that provide"
Insert: "providers of"

5. Page 6, line 20.

Following: "A"
Strike: "public utility that provides"
Insert: "provider of"

6. Page 7, line 8.
Following: "(c)"
Strike: "public utilities that provide"
Insert: "providers of"

7. Page 8, lines 16 and 17.
Following: "charge." on line 16
Strike: "A public utility that provides"
Insert: "Every provider of"
Following: "service" on line 17
Insert: "or other owner of a pay station telephone"

8. Page 10, line 2.
Following: "is"
Strike: "tax"
Following: "liability"
Insert: "for the fee"

9. Page 13, line 13.
Following: "each"
Strike: "public utility that provides"
Insert: "provider of"

10. Page 13, line 21.
Following: "by the"
Strike: "public utility"
Insert: "provider"
Following: "to the"
Strike: "commission"
Insert: "department"

11. Page 13, line 22.
Following: "The"
Strike: "commission"
Insert: "department"

12. Page 13, line 23.
Following: "shall"
Strike: "audit"
Insert: "review"

13. Page 13, line 24.
Following: "by the"
Strike: "public utility"
Insert: "provider"

14. Page 13.
Following: line 24
Strike: line 25 through "department" on line 1, page 14

15. Page 14, line 1.
Following: "If the"
Strike: "utility"
Insert: "provider"
Following: "contests the"
Strike: "audit"
Insert: "review"

16. Page 14, line 2.
Following: "owed the"
Strike: "utility"
Insert: "provider"

17. Page 15.
Following: line 5
Insert: "Section 19. Section 35-18-503, MCA, is amended to read:

"35-18-503. Annual fee to department of revenue — exemption from other taxes. Cooperatives and foreign corporations transacting business in this state pursuant to the provisions of this chapter shall pay annually on or before July 1, to the department of revenue a fee of $10 for each 100 persons or fractions thereof to whom electricity or telephone service is supplied within the state but, except as provided in [section 9], shall be exempt from all other excise and income taxes of whatsoever kind or nature.""
Renumber: subsequent section

And, as amended, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
SB 325

A statement of intent is required for this act because it delegates rulemaking to the department of administration and the department of revenue. It is the intent of the legislature that the department of administration solicit the advice of emergency service providers and the advisory council created by section 3 in developing rules for requirements of systems and criteria for approving or disapproving plans.

Rules adopted by the department of revenue must provide for forms for returns and requests for refunds that are not burdensome to providers. The rules must also provide recordkeeping requirements for service providers and dates when returns must be made. The department shall also prescribe standards by which it will determine whether a refund is payable.

SB 415, introduced bill, be amended as follows:

1. Title, line 8.
Following: "76-4-121 THROUGH"
Strike: "76-4-128"
Insert: "76-4-127"

2. Page 4, lines 7 and 8.
Following: "connect to" on line 7
Strike: "public or community"
Insert: "existing municipal"

3. Page 6, lines 12 and 13.
Following: "~~department~~" on line 12
Strike: remainder of line 12 through "authority" on line 13
Insert: "department"

4. Page 7, line 7.
Following: "~~74-4-128.~~"
Insert: "The department shall adopt rules to determine the distribution of fees between the local governing body and the department as provided in 76-4-128."

5. Page 10.
Following: line 18

Insert: "(4) When a local reviewing authority exercises the authority delegated to it by this section, the local reviewing authority shall accept legal responsibility for its actions under this part."

6. Page 15, lines 22 and 23.
Following: "Act"
Strike: remainder of line 22 through "authority" on line 23

7. Page 17, line 3 through line 11, page 18.
Strike: section 15 in its entirety
Renumber: subsequent sections

8. Page 19, line 4.
Following: "Section"
Strike: "17"
Insert: "16"

9. Page 19, line 6.
Following: "section"
Strike: "17"
Insert: "16"

10. Page 19.
Following: line 6
Insert: "NEW SECTION. Section 19. Coordination instruction. If House Bill No. 633, including the section of that bill that appropriates money to the department for subdivision review in fiscal years 1986 and 1987, is not passed and approved, section 3, subsection (3) of this act is amended to provide a fee of $10 per reviewed lot."

And, as amended, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
SB 415

A statement of intent is needed for this bill because it delegates additional rulemaking authority to the department of health and environmental sciences in section 2. Under the provisions of section 2, the department must adopt rules and standards for certifying and maintaining certification to ensure that local boards of health are competent to review those subdivisions described in section 2. The rules must provide for department delegation to local boards of health of review of those subdivisions if the department certifies that the local reviewing authority is competent to undertake that review and if the local reviewing authority chooses to do the review.

SB 416, introduced bill, be amended as follows:

1. Page 1, lines 23 through 25.
Following: "States" on line 23
Strike: remainder of line 23 through "States" on line 25

2. Page 3, line 15.
Following: "body"
Strike: "shall"
Insert: "may"

3. Page 4, lines 2 and 3.
Following: "Montana"
Strike: remainder of line 2 through "and" on line 3

4. Page 4, line 4.

Following: "deposits"
Strike: "and"
Insert: "or"

5. Page 4, line 7.
Following: "duration"
Strike: ", security pledge requirements"

6. Page 4.
Following: line 8
Insert: "NEW SECTION. Section 4. Coordination instruction. If House Bill No. 248 is passed and approved, section 2 of this act, amending 7-6-207, is void."

And, as amended, do pass. Report adopted.

SB 441, do pass. Report adopted.
SB 454, introduced bill, be amended as follows:

1. Page 3, line 4.
Following: "(1)"
Insert: "using the funds provided in (2),"

2. Page 3, line 8.
Following: "(2)"
Insert: "accept gifts of property or"
Following: "apply for and accept"
Strike: "advances, loans,"

And, as amended, do pass. Report adopted.

SJR 26, do pass. Report adopted.

NATURAL RESOURCES (Eck, Chairman): 2/23/85
SB 277, introduced bill, be amended as follows:

1. Title, line 7.
Following: "SECTIONS"
Insert: "15-35-108,"
Following: "76-14-112"
Insert: ","

2. Page 2, line 3.
Following: "resources."
Insert: "It is not the intent of this state, however, to compensate for the loss or damage to the environment from the extraction of non-renewable resources if remedial funding from other sources exists."

3. Page 2, lines 12 and 13.
Strike: "(d) promote economic development based on natural resources;"
Renumber: subsequent subsections

4. Page 4, line 6.
Following: "money"
Strike: "available"
Insert: "allocated"

5. Page 4, line 7.
Following: "trust"
Insert: "interest"

6. Page 5, lines 10 and 11.
Following: "submit" on line 10

Strike: "the proposals having his approval"
Insert: "all proposals with his recommended priorities"

7. Page 5, line 11.
Following: "any"
Insert: "regular"

8. Page 6, line 4.
Following: "sponsor."
Insert: "Emergency projects funded under this provision must also be consistent with the policy and purposes stated in [section 2].

(6) An allocation of 3 ½% of the funds available for grants in the legacy program special revenue account is designated for research and data management by the Montana water resources research center and the Montana ground water information center. This money must be apportioned by the department according to the criteria in [section 7]."

9. Page 6, lines 9 through 13.
Following: "land reclamation"
Insert: ","
Strike: remainder of line 9 through "available;" on line 13

10. Page 6, lines 15 and 16.
Following: "processing"
Strike: "when no liable party can be identified"

11. Page 6, lines 18 and 19.
Following: "activities" on line 18
Strike: "for which a liable party cannot be identified"

12. Page 6, lines 24 and 25.
Following: "development" on line 24
Strike: "that is consistent with but"

13. Page 8.
Following: line 3
Insert: "(3) Proposed projects are not eligible for funding under the legacy program if the projects are eligible for funding from other state or federal reclamation programs or any other program or act that provides funding to remediate environmental damage, or if the projects are permitted under Title 82, chapters 4 or 11. However, projects that fulfill federal matching fund requirements are eligible for legacy program funding."

14. Page 8, line 17.
Following: "will"
Strike: "be an efficient use"
Insert: "minimize misuse"

15. Page 8, lines 20 and 21.
Following: "resources" on line 20
Strike: "(as used in this subsection (1)(d), an efficient use is one that minimizes waste)"

16. Page 8, line 24.
Following: "project"
Insert: "or is generating additional nonstate funds"
Strike: "and"

17. Page 8.
Following: line 24

Insert: "(g) the degree to which jobs are created for persons who need job training, receive public assistance, or are chronically unemployed; and"
Renumber: subsequent subsection

18. Page 10.
Following: line 9
Insert: "Section 11. Section 15-35-108, MCA, is amended to read:

"15-35-108. Disposal of severance taxes. Severance taxes collected under the provisions of this chapter are allocated as follows:

(1) To the trust fund created by Article IX, section 5, of the Montana constitution, 25% of total collections a year. After December 31, 1979, 50% of coal severance tax collections are allocated to this trust fund. The trust fund moneys shall be deposited in the fund established under 17-6-203(5) and invested by the board of investments as provided by law.

(2) Starting July 1, 1986, and ending June 30, 1987, 6% of coal severance tax collections are allocated to the highway reconstruction trust fund account in the state special revenue fund. Starting July 1, 1987, and ending June 30, 1993, 12% of coal severance tax collections are allocated to the highway reconstruction trust fund account in the state special revenue fund.

(3) Coal severance tax collections remaining after the allocations provided by subsections (1) and (2) are allocated in the following percentages of the remaining balance:

(a) to the county in which coal is mined, 2% of the severance tax paid on the coal mined in that county until January 1, 1980, for such purposes as the governing body of the county may determine;

(b) 2 ½% until December 31, 1979, and thereafter 4 ½% to the state special revenue fund to the credit of the alternative energy research development and demonstration account;

(c) 26 ½% until July 1, 1979, and thereafter 37 ½% to the state special revenue fund to the credit of the local impact and education trust fund account;

(d) for each of the 2 fiscal years following June 30, 1977, 13% to the state special revenue fund to the credit of the coal area highway improvement account;

(e) 10% to the state special revenue fund for state equalization aid to public schools of the state;

(f) 1% to the state special revenue fund to the credit of the county land planning account;

(g) 1 ¼% to the credit of the renewable resource development bond fund <u>until July 1, 1987</u>;

(h) 5% to a nonexpendable trust fund for the purpose of parks acquisition or management, protection of works of art in the state capitol, and other cultural and aesthetic projects. Income from this trust fund shall be appropriated as follows:

(i) ⅓ for protection of works of art in the state capitol and other cultural and aesthetic projects; and

(ii) ⅔ for the acquisition of sites and areas described in 23-1-102 and the operation and maintenance of sites so acquired;

(i) 1% to the state special revenue fund to the credit of the state library commission for the purposes of providing basic library services for the residents of all counties through library federations and for payment of the costs of participating in regional and national networking;

(j) ½ of 1% to the state special revenue fund for conservation districts;

(k) 1¼% ~~to the debt service fund type~~ until July 1, 1987; and 2.3125% thereafter until July 1, 1989; and thereafter 2.5% to the credit of the water development debt service fund;

(l) for the fiscal years following June 30, 1987, until July 1, 1989, 0.1875% to the rangeland improvement loan special revenue account;

~~(l)~~(m) all other revenues from severance taxes collected under the provisions of this chapter to the credit of the general fund of the state.""

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
SB 277

A statement of intent is required for this bill because it delegates rulemaking authority in section 9 to the board of natural resources and conservation for the establishment and administration of the Montana legacy program.

The intent is to provide the board with the authority to adopt those rules necessary to administer the Montana legacy program. The authority as described in section 9 includes establishing rules:

(1) prescribing the form and content of applications for grants;

(2) describing the terms and conditions for making grants;

(3) prescribing a monitoring program to evaluate the effectiveness of funded projects and activities; and

(4) any other rules the board considers necessary to accomplish the purposes and objectives of this act.

Senators Williams and Mazurek excused at this time.

Minority and Majority Reports

NATURAL RESOURCES (Eck, Chairman): 2/23/85

SB 348, do not pass.

Majority Committee members are:

Senator Eck
Senator Christiaens
Senator Daniels
Senator Fuller
Senator Halligan
Senator Mohar
Senator Weeding

Senator Eck moved that the majority committee report be adopted. Senator Gage made a substitute motion that the minority committee report be adopted.

SB 348, do pass.

Minority Committee members are:

Senator Anderson
Senator Gage
Senator Harding
Senator Shaw
Senator Tveit

The substitute motion failed as follows:

Ayes: Aklestad, Anderson, Boylan, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 23

Noes: Bengtson, Blaylock, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 27

Paired: Aklestad, Goodover, Hager, Kolstad, Smith, Ayes; Eck, Mazurek, Neuman, Regan, Williams, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

The majority committee report was adopted as follows:

Ayes: Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 29

Noes: Aklestad, Anderson, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 21

Paired: Eck, Mazurek, Neuman, Regan, Williams, Ayes; Aklestad, Goodover, Hager, Kolstad, Smith, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 410, do not pass.

Majority Committee members are:

Senator Eck
Senator Weeding
Senator Mohar
Senator Halligan
Senator Fuller
Senator Daniels

Senator Christiaens

Senator Eck moved that the majority committee report be adopted. Senator Gage made a substitute motion that the minority committee report be adopted.

SB 410, do pass.

Minority Committee members are:

Senator Anderson
Senator Gage
Senator Harding
Senator Shaw
Senator Tveit

The substitute motion failed as follows:

Ayes: Aklestad, Anderson, Bengtson, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 22

Noes: Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 28

Paired: Aklestad, Goodover, Hager, Kolstad, Smith, Ayes; Christiaens, Mazurek, Mohar, Neuman, Williams, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

The majority committee report was adopted as follows:

Ayes: Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 28

Noes: Aklestad, Anderson, Bengtson, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 22

Paired: Christiaens, Mazurek, Mohar, Neuman, Williams, Ayes; Aklestad, Goodover, Hager, Kolstad, Smith, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Adverse Committee Reports

JUDICIARY (Mazurek, Chairman): 2/23/85

SB 417, introduced bill, be amended as follows:

1. Page 2, line 9.

Following: "may"
Strike: "keep or have in his possession"
Insert: "operate a motor vehicle upon a public highway while"

2. Page 2, line 10.
Following: "container"
Insert: "is"
Following: "of"
Strike: "a"
Insert: "the"

3. Page 2, line 11.
Following: "vehicle"
Strike: "being operated upon a public highway"

And, as amended, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Galt, Goodover, Haffey, Halligan, Hammond, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Mr. President.
Total 39

Noes: Brown, Eck, Gage, Hager, Harding, Regan, Yellowtail.
Total 7

Paired: Daniels, Aye; Hager, No.

Excused: Kolstad, Mazurek, Neuman, Williams.
Total 4

Absent or not voting: None.
Total 0

FIRST READING OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SB 464, introduced by Severson, Towe, Mazurek, Halligan, Lybeck, Hirsch, Goodover, McCallum, Eck, B. Brown, (By Request of the Senate Taxation Committee). Referred to Committee on Taxation.

Senator Van Valkenburg moved that the Senate adjourn until 9:00 a.m., February 25, 1985.

Motion carried.

Senate adjourned at 6:15 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

FORTY-THIRD LEGISLATIVE DAY

Helena, Montana
February 25, 1985

Senate Chambers
State Capitol

Senate convened at 9:03 a.m., President Norman presiding. Invocation by the Chaplain, Pastor Monsen. Pledge of Allegiance to the Flag.

Roll call. All members present except Neuman, Kolstad, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the forty-first legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 2/25/85

Correctly printed and placed on the members' desks: SB 258, SB 277, SB 279, SB 324, SB 325, SB 364, SB 392, SB 396, SB 409, SB 412, SB 415, SB 416, SB 418, SB 421, SB 423, SB 424, SB 429, SB 432, SB 435, SB 440, SB 441, SB 444, SB 446, SB 449, SB 451, SB 452, SB 453, SB 454, SJR 22, SJR 26, SJR 27.

Correctly engrossed: SB 28, SB 142, SB 200, SB 334, SB 349, SB 369, SB 420.

Considered correctly engrossed: SB 25, SB 118, SB 129, SB 183, SB 266, SB 289, SB 291, SB 307, SB 339, SB 379, SB 406, SB 352, SB 354, SB 362, SB 372, SB 377, SB 378, SB 382, SB 388, SB 401, SB 404, SB 422, SJR 20, SJR 23.

Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 2/25/85

Recommend that at the beginning of business February 25, 1985, the following be employed:

Charles Danielson ..... Page
Kip Beardsley ..... Page
Bobbie McAuley ..... Page
Kerri Harnett ..... Page
Lorna Snowberger ..... Page
Amy Bird ..... Page
Wendy Jacobson ..... Page
Patty Kasperick ..... Page
Brad Thompson ..... Page

Report adopted.

FINANCE AND CLAIMS (Regan, Chairman): 2/23/85

SB 370, introduced bill, be amended as follows:

1. Title, line 10.
Following: "PROVIDING"
Strike: "AN"
Following: "EFFECTIVE"
Strike: "DATE"
Insert: "DATES"

2. Page 1, line 20.
Strike: "$70,000"

Insert: "$50,452"

3. Page 1, line 21.
Strike: "$47,500"
Insert: "$36,141"

4. Page 1, line 23.
Strike: "$62,500"
Insert: "$51,722"

5. Page 1, line 25.
Strike: "$60,000"
Insert: "$50,452"

6. Page 2, line 1.
Strike: "$55,000"
Insert: "$46,016"

7. Page 2, line 2.
Strike: "$42,500"
Insert: "$33,342"

8. Page 2, line 4.
Strike: "$46,000"
Insert: "$39,672"

9. Page 2, line 6.
Strike: "$43,500"
Insert: "$37,363"

10. Page 2, line 9.
Strike: "$42,500"
Insert: "$36,141"

11. Page 2, line 9.
Strike: "$42,500"
Insert: "$33,342"

12. Page 2, line 12.
Strike: "$32,500"
Insert: "$32,401"

13. Page 2, line 18.
Strike: "$55,000"
Insert: "$49,178"

14. Page 4, line 7.
Strike: "$28,500"
Insert: "$27,655"

15. Page 5, line 4.
Strike: "$40,000"
Insert: "$27,373"

16. Page 5, line 7.
Strike: "$37,500"
Insert: "$26,635"

17. Page 5, line 14.
Following: "Effective"
Strike: remainder of line 14
Insert: "dates. (1) Section 3 of this act is effective January 1, 1989.

(2) All other sections of this act are"

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Eck, Chairman): 2/23/85
SJR 29, do pass. Report adopted.

Adverse Committee Reports

FINANCE AND CLAIMS (Regan, Chairman): 2/23/85
SB 271, do not pass. Adverse committee report adopted as follows:

Ayes: Anderson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Himsl, Hirsch, Jacobson, Lane, Lybeck, Manning, Pinsoneault, Severson, Shaw, Stephens, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Mr. President.
Total 31

Noes: Aklestad, Bengtson, Eck, Gage, Hammond, Harding, Keating, Lynch, Mazurek, McCallum, Mohar, Regan, Smith, Thayer, Tveit, Yellowtail.
Total 16

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: Brown.
Total 1

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 2/23/85

HB 384, introduced by Bergene

HB 420, introduced by Schye, et al.

HB 421, introduced by Brandewie, et al.

HB 497, introduced by Koehnke, et al.

HB 551, introduced by Rehberg

HB 561, introduced by Miller

HB 563, introduced by Miller

HB 694, introduced by Asay, et al.

HB 712, introduced by Miller, et al.

HB 717, introduced by Waldron

HB 722, introduced by Nisbet, et al.

HB 729, introduced by Schultz, et al.

HB 738, introduced by Addy, Keyser

HB 747, introduced by Phillips, et al.

HB 748, introduced by Kitselman

HB 763, introduced by Menahan, et al.

HB 770, introduced by Ream, et al.

HB 774, introduced by Driscoll, et al.

HB 775, introduced by Harp

HB 778, introduced by Spaeth, et al.

HB 779, introduced by Connelly, et al.

HB 790, introduced by Ramirez

HB 803, introduced by Peck

HB 817, introduced by Kitselman, et al.

HB 837, introduced by Pavlovich

MOTIONS

Senator McCallum moved that the Senate reconsider its action in adopting the adverse committee report on SB 271 and that it be printed and placed on second reading. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Brown, Crippen, Eck, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Keating, Lynch, Mazurek, McCallum, Mohar, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Weeding, Yellowtail.
Total 29

Noes: Blaylock, Boylan, Christiaens, Conover, Daniels, Fuller, Haffey, Halligan, Himsl, Hirsch, Jacobson, Lane, Lybeck, Manning, Regan, Towe, Van Valkenburg, Williams, Mr. President.
Total 19

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

FIRST READING OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 160, introduced by Grady, Switzer, Thoft, J. Brown, Campbell, Miles, Marks, Harper, Brandewie. Referred to Committee on State Administration.

HB 366, introduced by Ramirez, O'Connell, Keyser, Goodover, Hanson, Boylan, Hayne. Referred to Committee on Business and Industry.

HB 384, introduced by Bergene. Referred to Committee on Local Government.

HB 420, introduced by Schye, Compton, C. Smith, Jones, Fuller, Asay, (By Request of the Department of Commerce). Referred to Committee on Business and Industry.

HB 421, introduced by Brandewie, Schye, Compton, C. Smith, Fuller, Asay, E. Smith, H. Hammond, Jones, (By Request of the Department of Commerce). Referred to Committee on State Administration.

HB 447, introduced by J. Brown, Bergene, Christiaens, (By Request of the Department of Revenue). Referred to Committee on Judiciary.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 25 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager,

Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Mr. President.
Total 43

Noes: Aklestad, Hirsch, Smith, Tveit, Yellowtail.
Total 5

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 28 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 72 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 118 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 47

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: Shaw.
Total 1

SB 129 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Christiaens.
Total 1

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: Shaw.
Total 1

SB 142 passed as follows:

Ayes: Anderson, Blaylock, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Haffey, Hager, Halligan, Harding, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Williams, Mr. President.
Total 29

Noes: Aklestad, Bengtson, Boylan, Brown, Gage, Goodover, Hammond, Himsl, Hirsch, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Weeding, Yellowtail.
Total 19

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 183 passed as follows:

Ayes: Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Halligan, Hammond, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, Pinsoneault, Regan, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 35

Noes: Aklestad, Bengtson, Crippen, Gage, Hager, Harding, Himsl, Hirsch, McCallum, Mohar, Severson, Smith, Van Valkenburg.
Total 13

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 200 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Galt, Goodover, Hager, Halligan, Hammond, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 42

Noes: Boylan, Daniels, Gage, Haffey, Harding, Lynch, Regan, Severson.
Total 8

Paired: Kolstad, Neuman, Ayes; Daniels, Regan, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 266 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: Galt.
Total 1

SB 289 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 42

Noes: Eck, Himsl, Mazurek, Mohar, Regan, Yellowtail.
Total 6

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 291 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 302 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 307 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: Weeding.
Total 1

SB 316 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Severson, Shaw, Smith,

Stephens, Stimatz, Story, Thayer, Towe, Tveit, Williams, Yellowtail, Mr. President.
Total 40

Noes: Boylan, Christiaens, Eck, Jacobson, Lynch, Regan, Van Valkenburg, Weeding.
Total 8

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 322 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 332 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Aklestad, Daniels, Hammond.
Total 3

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 334 passed as follows:

Ayes: Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Jacobson, Keating, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 41

Noes: Aklestad, Bengtson, Himsl, Hirsch, Lybeck, Shaw, Thayer.

Total 7

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 339 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 46

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: Halligan, Mr. President.
Total 2

SB 349 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 352 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.

Total 0

SB 354 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 358 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 362 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Galt, Hammond, Keating, Shaw.
Total 4

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 363 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 369 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Boylan, Hammond, Keating, Shaw.
Total 4

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 371 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Shaw.
Total 1

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 372 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 377 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 378 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 379 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 380 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 382 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 38

Noes: Aklestad, Galt, Hammond, Himsl, Hirsch, Keating, McCallum, Pinsoneault, Story, Thayer.
Total 10

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 384 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 388 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Jacobson, Lane, Lybeck, Lynch, Manning, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 35

Noes: Aklestad, Daniels, Eck, Farrell, Hammond, Hirsch, Keating, Mazurek, McCallum, Mohar, Pinsoneault, Story, Mr. President.
Total 13

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 401 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Eck, Mohar, Severson.
Total 3

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 404 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 406 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum,

Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 420 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: Mazurek.
Total 1

SB 422 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: Galt.
Total 1

SJR 20 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SJR 23 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 37

Noes: Aklestad, Gage, Hammond, Harding, Himsl, Keating, Severson, Shaw, Smith, Story, Weeding.
Total 11

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

At the request of Senator Bengtson, and without objection, Senator Bengtson's vote on SB 378 be recorded as yes.

At the request of Senator Severson, and without objection, Senator Severson's vote on SB 118 be recorded as yes.

At the request of Senator Weeding, and without objection, Senator Weeding's vote on SB 349 be recorded as yes.

At the request of Senator Smith, and without objection, Senator Smith's vote on SB 25 be recorded as no.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate recess subject to the call of the chair. Motion carried unanimously.

Senate recessed at 10:07 a.m.

Senate reconvened at 10:52 a.m.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Halligan in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 21 - That SB 21 do pass. Motion failed as follows:

Ayes: Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Haffey, Harding, Jacobson, Lybeck, Lynch, Manning, Mazurek,

Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 23

Noes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Farrell, Galt, Goodover, Hager, Halligan, Hammond, Himsl, Hirsch, Keating, Lane, McCallum, Mohar, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Mr. President.
Total 25

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

Senator Mohar moved that SB 21 be indefinitely postponed. Motion failed as follows:

Ayes: Aklestad, Anderson, Bengtson, Brown, Farrell, Galt, Goodover, Hager, Halligan, Hammond, Himsl, Hirsch, Keating, Lane, McCallum, Mohar, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Mr. President.
Total 24

Noes: Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Haffey, Harding, Jacobson, Lybeck, Lynch, Manning, Mazurek, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 24

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 22 - That SB 22, second reading copy, be amended as follows:

1. Title, lines 5 through 9.
Following: "ROADS" on line 5
Strike: remainder of line 5 through "AREAS;" on line 9
Insert: ";"

2. Title, lines 9 and 10.
Following: "AMENDING" on line 9
Strike: remainder of line 9 through "AND" on line 10
Insert: "SECTION"

3. Page 1, lines 16 through 21.
Following: "road" on line 16
Strike: remainder of line 16 through line 21
Insert: "."

4. Page 1, line 22 through line 11, page 3.
Strike: section 2 in its entirety
Renumber: subsequent sections

5. Page 3, line 25.
Following: "than"
Strike: "35"
Insert: "15"

6. Page 4.

Following: line 25 on page 3
Insert: "(2) A board of county commissioners may set limits as provided in subsection (1) without an engineering and traffic investigation on a county road, as defined in 60-1-103."
Renumber: subsequent subsections

7. Page 4.
Following: line 15
Insert: "(5) The commission has exclusive jurisdiction to set special speed limits on all federal-aid highways or extensions thereof in all municipalities or urban areas. The commission shall set these limits in accordance with 61-8-309."

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

That SB 22, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Manning, Mazurek, McCallum, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Lynch, Mohar.
Total 2

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 74 - That SB 74 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Lane, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 26

Noes: Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lybeck, Lynch, Manning, Mazurek, Mohar, Regan, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.

Total 21

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: Weeding.
Total 1

SB 83 - That SB 83 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Boylan, Himsl, McCallum, Mohar, Smith.
Total 5

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 116 - That SB 116, second reading copy, be amended as follows:

1. Page 6, line 6.
Following: "~~class~~"
Insert: "for a county of the second or third class"

2. Page 6, line 7.
Following: "equal to"
Strike: "50%"
Insert: "60%"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Hammond.
Total 1

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

That SB 116, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Pinsoneault,

Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Hammond, Mohar, Thayer.
Total 3

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair.

Senator Van Valkenburg moved that the Senate recess until 1:30 p.m. Motion carried.

Senate recessed at 12:26 p.m.

REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (Haffey, Chairman): 2/25/85
SB 463, do pass. Report adopted.

TAXATION (Towe, Chairman): 2/25/85
SB 288, introduced bill, be amended as follows:

1. Title.
Following: line 9
Insert: "PROVIDING A LOWER LIQUOR EXCISE AND LICENSE TAX FOR COMPANIES THAT MANUFACTURE, DISTILL, RECTIFY, BOTTLE, OR PROCESS, AND SELL NOT MORE THAN 250,000 PROOF GALLONS OF LIQUOR ANNUALLY; AMENDING SECTIONS 16-1-401 AND 16-1-404, MCA;"

2. Page 1, line 12.
Insert: "WHEREAS, the Montana Legislature recognizes the need to foster small business growth and development as an essential component of the Montana economy; and

WHEREAS, the Montana Legislature finds that small, emerging companies engaged in the business of manufacturing, distilling, rectifying, bottling, and processing liquor are particularly vulnerable to variables in the marketplace in comparison to larger well-established companies; and

WHEREAS, tax reductions to such smaller, emerging companies are a means of fostering their economic growth without impinging upon interstate commerce."

3. Page 1.
Following: line 13
Insert: "Section 1. Section 16-1-401, MCA, is amended to read:

"16-1-401. Liquor excise tax. (1) The department is hereby authorized and directed to charge, receive, and collect at the time of the sale and delivery of any liquor as authorized under any provision of the laws of the state of Montana an excise tax at the rate of:

(a) 16% of the retail selling price on all liquor sold and delivered in the state by a company that manufactured, distilled, rectified, bottled, or processed, and sold more than 250,000 proof gallons of liquor

nationwide in the calendar year preceding imposition of the tax pursuant to this section;

(b) 12% of the retail selling price on all liquor sold and delivered in the state by a company that manufactured, distilled, rectified, bottled, or processed, and sold not more that 250,000 proof gallons of liquor nationwide in the calendar year preceding imposition of the tax pursuant to this section.

(2) The department shall retain the amount of such excise tax received in a separate account and shall deposit with the state treasurer, to the credit of the general fund, such sums collected and received not later than the 10th day of each and every month."

Section 2. Section 16-1-404, MCA, is amended to read:

"16-1-404. License tax on liquor — amount — distribution of proceeds. (1) The department is hereby authorized and directed to charge, receive, and collect at the time of sale and delivery of any liquor under any provisions of the laws of the state of Montana a license tax of:

(a) 10% of the retail selling price on all liquor sold and delivered. ~~Said~~ in the state by a company that manufactured, distilled, rectified, bottled, or processed, and sold more than 250,000 proof gallons of liquor nationwide in the calendar year preceding imposition of the tax pursuant to this section;

(b) 7.5% of the retail selling price on all liquor sold and delivered in the state by a company that manufactured, distilled, rectified, bottled, or processed, and sold not more than 250,000 proof gallons of liquor nationwide in the calendar year preceding imposition of the tax pursuant to this section.

(2) The license tax shall be charged and collected on all liquor brought into the state and taxed by the department. The retail selling price shall be computed by adding to the cost of said liquor the state markup as designated by the department. ~~Said 10%~~ The license tax shall be figured in the same manner as the state excise tax and shall be in addition to said state excise tax. The department shall retain in a separate account the amount of ~~such 10%~~ the license tax so received. Thirty percent of these revenues shall be allocated to the counties according to the amount of liquor purchased in each county to be distributed to the incorporated cities and towns, as provided in subsection ~~(2)~~ (3). Four and one-half percent of these revenues shall be allocated to the counties according to the amount of liquor purchased in each county, and this money may be used for county purposes. The remaining revenues shall be deposited in the state special revenue fund to the credit of the department of institutions for the treatment, rehabilitation, and prevention of alcoholism. Provided, however, in the case of purchases of liquor by a retail liquor licensee for use in his business, the department shall make such regulations as are necessary to apportion that proportion of license tax so generated to the county where the licensed establishment is located, for use as provided in 16-1-405. The department shall pay quarterly to each county treasurer the proportion of the license tax due each county to be allocated to the incorporated cities and towns of the county.

~~(2)~~(3) The license tax proceeds allocated to the county under subsection ~~(1)~~(2) for use by cities and towns shall be distributed by the

county treasurer to the incorporated cities and towns within 30 days of receipt from the department. The distribution of funds to the cities and towns shall be based on the proportion that the gross sale of liquor in each city or town is to the gross sale of liquor in all of the cities and towns of the county.

~~(3)~~(4) The license tax proceeds that are allocated to the department of institutions for the treatment, rehabilitation, and prevention of alcoholism shall be credited quarterly to the department of institutions. The legislature may appropriate a portion of the license tax proceeds to support alcohol programs. The remainder shall be distributed as provided in 53-24-206.""

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

SJR 24, do pass. Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Halligan in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Senator Lynch in the Chair.

SB 182 - That SB 182 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Lybeck, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams.
Total 25

Noes: Bengtson, Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lane, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 23

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

Senator Halligan in the Chair.

SB 206 - That SB 206 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.

Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 217 - That SB 217 do pass. Senator Towe made a substitute motion that SB 217 be placed below SB 353 on the board. Substitute motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Haffey, Halligan, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 33

Noes: Aklestad, Gage, Hammond, Harding, McCallum, Severson, Shaw, Smith, Stephens, Thayer, Tveit, Mr. President.
Total 12

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: Galt, Goodover, Hager.
Total 3

SB 258 - That SB 258 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Shaw.
Total 1

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 277 - That SB 277, second reading copy, be amended as follows:

1. Page 6, lines 12 through 17.
Strike: subsection 6 in its entirety

Amendment passed as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Crippen, Fuller, Hager, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Pinsoneault, Regan, Stephens, Stimatz, Tveit, Weeding, Yellowtail.
Total 22

Noes: Aklestad, Anderson, Boylan, Eck, Gage, Galt, Goodover, Halligan, Hammond, Harding, Keating, Mohar, Severson, Shaw, Smith, Thayer, Towe.

Total 17

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: Conover, Daniels, Farrell, Haffey, McCallum, Story, Van Valkenburg, Williams, Mr. President.
Total 9

That SB 277, second reading copy, be further amended as follows:

1. Title, line 11.
Following: "EFFECTIVE"
Strike: "DATES"
Insert: "DATE"

2. Page 16, line 2.
Following: "Effective"
Strike: "dates"
Insert: "date"

3. Page 16, line 3.
Following: "act"
Strike: ", except for sections 11, 12, and 13,"

4. Page 16.
Following: line 3
Strike: "passage and approval"
Insert: "July 1, 1987"

5. Page 16, lines 5 and 6.
Strike: subsection (2) in its entirety

Amendment failed as follows:

Ayes: Anderson, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Lane, Lybeck, McCallum, Pinsoneault, Severson, Shaw, Stephens, Story, Thayer.
Total 22

Noes: Aklestad, Bengtson, Blaylock, Boylan, Christiaens, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lynch, Manning, Mazurek, Mohar, Regan, Smith, Stimatz, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 25

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: Conover.
Total 1

That SB 277, as amended, do pass. Motion carried as follows:

Ayes: Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Eck, Fuller, Haffey, Halligan, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 26

Noes: Aklestad, Anderson, Brown, Daniels, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 22

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 279 - That SB 279 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Daniels, Farrell, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Lane, Lybeck, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 32

Noes: Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Fuller, Jacobson, Keating, Lynch, Manning, Mazurek, Mohar, Regan, Thayer.
Total 15

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: Towe.
Total 1

SB 281 - That SB 281, second reading copy, be amended as follows:

1. Title, line 10.
Following: line 9, "A"
Strike: "PERMANENT TOTAL BENEFITS"

2. Title, lines 13 through 15.
Following: "~~PERIOD;~~"
Strike: remainder of line 13 through "GRANTED" on line 15
Insert: "TO THE PURCHASE PRICE OF AN ANNUITY THAT WOULD YIELD THE BIWEEKLY BENEFITS PAYABLE OVER THE ESTIMATED DURATION OF THE COMPENSATION PERIOD"

3. Title.
Following: line 15
Strike: "SECTIONS"
Insert: "SECTION"
Following: "39-71-74,"
Strike: "39-71-2109, AND 39-71-2207,"

4. Title, lines 17 and 18.
Following: "AN" on line 17
Strike: remainder of line 17 through "AN" on line 18

5. Page 2, line 2.
Following: line 1,"~~sum~~"
Strike: "LUMP-SUM CONVERSION OF PERMANENT TOTAL BIWEEKLY PAYMENTS"
Insert: "lump sum"

6. Page 2, lines 7 through 11.
Following: "~~period.~~" on line 7
Strike: remainder of 7 through "(2)(B)." on line 11
Insert: "may not exceed the purchase price to the insurer of an annuity that would yield an amount equal to the biweekly benefits payable over the estimated duration of the compensation period,"

7. Page 2, line 22.

Following: "~~what~~"
Insert: "what"

8. Page 2, line 23.
Following: "~~be, the~~"
Insert: "purchase price of an annuity would be, the"

9. Page 2, line 24 through line 2, page 5.
Following: "conversion." on line 24
Strike: remainder of line 24 through "BENEFICIARY." on line 2, page 5

10. Page 5.
Following: line 15
Strike: sections 2 and 3 in their entirety
Renumber: subsequent sections

Amendment passed as follows:

Ayes: Aklestad, Anderson, Boylan, Brown, Conover, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Hirsch, Keating, McCallum, Mohar, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 24

Noes: Bengtson, Blaylock, Christiaens, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 23

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: Himsl.
Total 1

That SB 281, as amended, do pass. Senator Lynch made a substitute motion that consideration on SB 281 be passed. Substitute motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 29

Noes: Aklestad, Brown, Crippen, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 19

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Halligan moved the adoption of the committee report. Report adopted.

Senator Van Valkenburg moved that the Senate recess until 4:05 p.m. Motion carried unanimously.

Senate recessed at 3:47 p.m.

Senate reconvened at 4:05 p.m.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Halligan in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 284 - That SB 284 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 308 - That SB 308 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 324 - That SB 324 do pass. Senator Brown made a substitute motion that SB 324 be indefinitely postponed.

That SB 324, second reading copy, be amended as follows:

1. Title, lines 14 through 18.
Following: "LOTTERY;" on line 14
Strike: remainder of line 14 through "LOTTERY;" on line 18

2. Title, line 18.
Strike: "SECTIONS 23-5-101"

Insert: "SECTION"
Strike: "23-5-302, AND 23-5-402,"

3. Page 3, lines 16 through 18.
Following: "period) winner games,"
Strike: remainder of line 16 through "games," on line 18

4. Page 14, lines 20 through 25.
Following: "(2)" on line 20
Strike: the remainder of line 20 through "terminal." on line 25
Insert: "Immediate payment of prizes, including payment made directly by an electronic game, machine, or device or by a computer terminal, may not be permitted."

5. Page 22, lines 13 through line 3, page 23.
Strike: section 21 in its entirety
Renumber: subsequent sections

6. Page 23, line 14, through line 1, page 25.
Strike: sections 23 and 24 in their entirety

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Goodover, Hager, Halligan, Harding, Hirsch, Jacobson, Lane, Lybeck, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 40

Noes: Haffey, Himsl, Lynch, Manning.
Total 4

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: Daniels, Galt, Hammond, Keating.
Total 4

Senator Brown's substitute motion failed as follows:

Ayes: Aklestad, Blaylock, Brown, Crippen, Eck, Gage, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Lybeck, Mazurek, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens.
Total 21

Noes: Anderson, Bengtson, Boylan, Christiaens, Conover, Daniels, Farrell, Fuller, Galt, Goodover, Haffey, Halligan, Jacobson, Lane, Lynch, Manning, McCallum, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 27

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

That SB 324, second reading copy, be further amended as follows:

1. Title, lines 19 and 20.
Following: "PROVIDING" on line 19
Strike: remainder of line 19 through "DATE" on line 20

Insert: "THAT THE PROPOSED ACT BE SUBMITTED TO THE ELECTORS OF THE STATE OF MONTANA"

2. Page 26.
Following: line 16
Insert: "NEW SECTION. Section 30. Submission to the electorate. The question of whether sections 1 through 28 of this act will become effective shall be submitted to the electors of the state of Montana at the general election to be held in November 1986 by printing on the ballot the full title of this act and the following:

[ ] FOR establishing a state lottery.

[ ] AGAINST establishing a state lottery.

Amendment failed as follows:

Ayes: Bengtson, Blaylock, Brown, Conover, Crippen, Fuller, Gage, Galt, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Lybeck, Mazurek, Mohar, Severson, Smith, Stephens, Thayer.
Total 22

Noes: Aklestad, Anderson, Boylan, Christiaens, Daniels, Eck, Farrell, Goodover, Haffey, Jacobson, Lane, Lynch, Manning, McCallum, Pinsoneault, Regan, Shaw, Stimatz, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 25

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: Story.
Total 1

That SB 324, as amended, do pass. Motion carried as follows:

Ayes: Anderson, Bengtson, Boylan, Christiaens, Conover, Daniels, Farrell, Goodover, Haffey, Jacobson, Lane, Lynch, Manning, McCallum, Pinsoneault, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 25

Noes: Aklestad, Blaylock, Brown, Crippen, Eck, Fuller, Gage, Galt, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Lybeck, Mazurek, Mohar, Regan, Severson, Shaw, Smith, Stephens.
Total 23

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 325 - That SB 325 do pass. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Eck, Farrell, Fuller, Goodover, Haffey, Hager, Halligan, Harding, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Stephens, Stimatz, Thayer, Towe, Van Valkenburg, Yellowtail, Mr. President.
Total 33

Noes: Aklestad, Christiaens, Gage, Galt, Hammond, Himsl, Hirsch, Keating, Shaw, Smith, Story, Tveit, Weeding.

Total 13

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: Daniels, Williams.
Total 2

Senators Daniels and Manning excused at this time.

SB 329 - That SB 329 do pass. Motion carried as follows:

Ayes: Aklestad, Bengtson, Blaylock, Brown, Conover, Eck, Farrell, Fuller, Goodover, Hager, Halligan, Himsl, Hirsch, Keating, Lane, Lynch, Mazurek, McCallum, Mohar, Regan, Severson, Shaw, Smith, Stephens, Story, Towe, Weeding, Williams, Yellowtail.
Total 29

Noes: Christiaens, Crippen, Gage, Galt, Haffey, Hammond, Harding, Jacobson, Lybeck, Pinsoneault, Stimatz, Thayer, Tveit, Van Valkenburg, Mr. President.
Total 15

Excused: Daniels, Kolstad, Manning, Neuman.
Total 4

Absent or not voting: Anderson, Boylan.
Total 2

SB 338 - Senator Regan moved that consideration on SB 338 be passed. Motion carried as follows:

Ayes: Bengtson, Blaylock, Christiaens, Conover, Eck, Fuller, Haffey, Halligan, Himsl, Hirsch, Jacobson, Lane, Lynch, Mazurek, Mohar, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 23

Noes: Aklestad, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Keating, Lybeck, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Tveit.
Total 20

Excused: Daniels, Kolstad, Manning, Neuman.
Total 4

Absent or not voting: Anderson, Story, Thayer.
Total 3

SB 340 - That SB 340 do pass. Motion carried as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Conover, Eck, Farrell, Fuller, Goodover, Hager, Halligan, Jacobson, Keating, Lybeck, Mazurek, Mohar, Regan, Smith, Stephens, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 25

Noes: Aklestad, Crippen, Gage, Galt, Hammond, Harding, Himsl, Hirsch, Severson, Shaw, Thayer, Tveit.
Total 12

Excused: Daniels, Kolstad, Manning, Neuman.
Total 4

Absent or not voting: Anderson, Boylan, Haffey, Lane, Lynch, McCallum, Pinsoneault, Story, Mr. President.

Total 9

SB 353 - That SB 353 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Daniels, Kolstad, Manning, Neuman.
Total 4

Absent or not voting: None.
Total 0

SB 217 - That SB 217, second reading copy, be amended as follows:

1. Page 4, line 2.
Following: line 1, "than"
Strike: "10,000"
Insert: "20,000"

2. Page 4, line 24.
Following: "[section 4(3)]."
Insert: "Removal to district court is a right which cannot be denied."

3. Page 8, line 7.
Following: "fund."
Insert: "Provided, however, the additional filing fees for filing a petition for dissolution of marriage provided in 25-1-201(4) shall apply if the action for dissolution is filed in the municipal court and the additional fee must be deposited in the state general fund in the same manner as if the action were filed in district court."

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Daniels, Kolstad, Manning, Neuman.
Total 4

Absent or not voting: None.
Total 0

That SB 217, as amended, do pass. Motion carried as follows:

Ayes: Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Fuller, Goodover, Haffey, Jacobson, Keating, Lane, Lybeck, Mazurek,

Pinsoneault, Severson, Stephens, Stimatz, Towe, Tveit, Williams, Yellowtail.
Total 24

Noes: Aklestad, Bengtson, Gage, Galt, Halligan, Hammond, Harding, Himsl, Hirsch, Lynch, McCallum, Mohar, Regan, Shaw, Smith, Story, Thayer, Van Valkenburg.
Total 18

Excused: Daniels, Kolstad, Manning, Neuman.
Total 4

Absent or not voting: Farrell, Hager, Weeding, Mr. President.
Total 4

SB 356 - That SB 356 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Towe.
Total 1

Excused: Daniels, Kolstad, Manning, Neuman.
Total 4

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Halligan moved the adoption of the committee report. Report adopted.

Senator Van Valkenburg moved that the Senate recess until 6:40 p.m. Motion carried.

Senate recessed at 6:23 p.m.

Senate reconvened at 6:40 p.m.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Halligan in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 364 - That SB 364 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Boylan, Brown, Conover, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Keating, Lynch, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Weeding, Williams.
Total 26

Noes: Bengtson, Blaylock, Christiaens, Eck, Fuller, Haffey, Halligan, Himsl, Hirsch, Jacobson, Lane, Lybeck, Mazurek, Mohar, Regan, Towe, Van Valkenburg, Yellowtail, Mr. President.
Total 19

Excused: Daniels, Kolstad, Manning, Neuman.
Total 4

Absent or not voting: Stimatz.
Total 1

SB 365 - That SB 365 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Daniels, Kolstad, Manning, Neuman.
Total 4

Absent or not voting: None.
Total 0

SB 375 - That SB 375 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Daniels, Kolstad, Manning, Neuman.
Total 4

Absent or not voting: None.
Total 0

SB 376 - That SB 376 do pass. Motion carried as follows:

Ayes: Anderson, Bengtson, Brown, Christiaens, Conover, Crippen, Eck, Fuller, Halligan, Himsl, Hirsch, Jacobson, Keating, Lybeck, Mazurek, Mohar, Pinsoneault, Regan, Shaw, Smith, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 28

Noes: Aklestad, Blaylock, Boylan, Farrell, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Lane, Lynch, McCallum, Severson, Stephens, Tveit.
Total 17

Excused: Daniels, Kolstad, Manning, Neuman.
Total 4

Absent or not voting: Stimatz.
Total 1

SB 385 - That SB 385 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Daniels, Kolstad, Manning, Neuman.
Total 4

Absent or not voting: None.
Total 0

SB 387 - That SB 387 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Daniels, Kolstad, Manning, Neuman.
Total 4

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Halligan moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 2/25/85
Correctly printed and placed on the members' desks: SB 288, SB 370, SB 463, SJR 24, SJR 29.
Signed by the President at 11:00 a.m., 2/25/85: HB 23, HB 140, HB 154, HB 176, HB 267, HB 297, HB 459, HJR 5.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 2/25/85
SJR 25, do pass. Report adopted.

Majority and Minority Report

LOCAL GOVERNMENT (Fuller, Chairman): 2/23/85
SB 456, Majority report, be amended as follows:

1. Page 2, line 9.
Following: "2 mills"
Insert: "or $100,000, whichever is greater,"

And, as amended, do not pass.

Majority committee members are:

Senator Eck
Senator Hirsch
Senator Mohar
Senator Regan
Senator Fuller

Senator Fuller moved that the majority committee report be adopted. Senator Pinsoneault made a substitute motion that the minority committee report be adopted.

SB 456, Minority report, be amended as follows:

1. Page 2, line 9.
Following: "2 mills"
Insert: "or $100,000, whichever is greater,"

And, as amended, do pass.

Minority committee members are:

Senator Harding
Senator McCallum
Senator Pinsoneault
Senator Story

The substitute motion failed as follows:

Ayes: Farrell, Gage, Harding, McCallum, Pinsoneault, Smith, Story, Tveit.
Total 8

Noes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Regan, Severson, Shaw, Stephens, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 41

Paired: Harding, McCallum, Pinsoneault, Ayes; Daniels, Manning, Neuman, Noes.

Excused: Kolstad.
Total 1

Absent or not voting: None.
Total 0

The majority committee report was adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Mazurek, Mohar, Regan, Severson, Shaw, Stephens, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 38

Noes: Farrell, Gage, Harding, McCallum, Pinsoneault, Smith, Story, Tveit.
Total 8

Excused: Daniels, Kolstad, Manning, Neuman.
Total 4

Absent or not voting: None.
Total 0

Adverse Committee Reports

LOCAL GOVERNMENT (Fuller, Chairman): 2/23/85
SB 241, introduced bill, be amended as follows:

1. Title, line 7.
Following: "ACTIVITIES"
Insert: "OF FIRE COMPANIES"

2. Page 2, line 5.
Following: "service"
Insert: "by fire companies"

3. Page 2, line 6.
Following: "property"
Insert: "and all mobile homes not taxed as improvements under 15-24-202,"

4. Page 2, line 7.
Following: "improvements"
Insert: "and mobile homes"

5. Page 2, line 15.
Following: "property"
Insert: "or mobile homes"
Following: "with the"
Insert: "applicable"

And, as amended, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Farrell, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Mazurek, McCallum, Mohar, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 42

Noes: Eck, Fuller, Pinsoneault.
Total 3

Excused: Daniels, Kolstad, Manning, Neuman.
Total 4

Absent or not voting: Smith.
Total 1

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bill concurred in and returned to the Senate: 2/25/85

SB 122, introduced by Jacobson

House bills passed and transmitted to the Senate for concurrence: 2/25/85

HB 18, introduced by Donaldson

HB 611, introduced by Devlin, et al.

HB 720, introduced by J. Brown, et al.

HB 781, introduced by Spaeth, et al.

HB 786, introduced by Nathe, E. Smith

HB 788, introduced by Simon, et al.

HB 796, introduced by Quilici, et al.

HB 808, introduced by Ramirez

HB 809, introduced by Fritz, Daniels

MOTIONS

Senator Keating moved that the Senate reconsider its action in adopting the adverse committee report on SB 410 and that it be printed and placed on second reading on the 44th legislative day. Motion failed as follows:

Ayes: Aklestad, Anderson, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 22

Noes: Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 28

Paired: Crippen, Gage, Harding, Kolstad, Ayes; Christiaens, Daniels, Manning, Neuman, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Regan moved that SB 338 be rereferred to the Committee on Finance and Claims. Motion carried unanimously.

FIRST READING OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SJR 30, introduced by Christiaens, Halligan, Fuller, Goodover, Boylan, Thayer, Gage, Manning, B. Williams, (By Request of the Senate Business and Industry Committee). Referred to Committee on Business and Industry.

Senator Van Valkenburg moved that the Senate adjourn until 8:00 a.m., February 26, 1985.

Motion carried.

Senate adjourned at 8:28 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

FORTY-FOURTH LEGISLATIVE DAY

Helena, Montana
February 26, 1985

Senate Chambers
State Capitol

Senate convened at 8:04 a.m., President Norman presiding. Invocation by the Chaplain, Pastor Monsen. Pledge of Allegiance to the Flag.

Roll call. All members present except Kolstad, Neuman, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the forty-second legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 2/26/85
Correctly printed and placed on the members' desks: SJR 25, SJR 30.
Correctly engrossed: SB 22, SB 116, SB 217, SB 277, SB 324.
Considered correctly engrossed: SB 74, SB 83, SB 156, SB 182, SB 206, SB 258, SB 279, SB 284, SB 308, SB 325, SB 329, SB 340, SB 353, SB 356, SB 364, SB 365, SB 375, SB 376, SB 385, SB 387.

Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 2/25/85
SJR 30, do pass. Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Story in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 392 - That SB 392 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Crippen, Daniels, Farrell, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Lynch, Manning, McCallum, Mohar, Pinsoneault, Severson, Shaw, Smith, Stephens, Thayer, Tveit, Weeding, Williams.
Total 27

Noes: Blaylock, Brown, Christiaens, Eck, Fuller, Haffey, Halligan, Jacobson, Lybeck, Mazurek, Regan, Towe, Yellowtail.
Total 13

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: Boylan, Conover, Gage, Lane, Stimatz, Story, Van Valkenburg, Mr. President.
Total 8

SB 394 - That SB 394, second reading copy, be amended as follows:

1. Page 1, line 25.
Following: "county."

Insert: "This subsection does not apply to a political subdivision seeking to construct, install, maintain, or operate an electrical generating project and associated facilities in any county in which a portion of the political subdivision is located."

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

That SB 394, second reading copy, be further amended as follows:

1. Page 2, line 14.
Following: "facilities"
Insert: ": (1)"

2. Page 2, line 15.
Following: "act"
Insert: ";"
Following: "act or"
Insert: "(2)"

3. Page 2, line 16.
Following: "license"
Strike: "has been obtained"

4. Page 2, line 17.
Following: "commission"
Insert: "has been obtained or applied for"

Amendment passed as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Conover, Daniels, Farrell, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Severson, Shaw, Smith, Stephens, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail.
Total 32

Noes: Aklestad, Anderson, Crippen, Eck, Fuller, Gage, Haffey, Halligan, Jacobson, Lynch, Regan, Stimatz, Story, Williams, Mr. President.
Total 15

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: Boylan.
Total 1

That SB 394, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Crippen, Eck, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Himsl, Jacobson, Keating, Lynch, Manning, Regan, Severson, Stimatz, Story, Van Valkenburg, Mr. President.
Total 25

Noes: Boylan, Conover, Hager, Hammond, Harding, Hirsch, Lane, Lybeck, Mazurek, McCallum, Mohar, Pinsoneault, Shaw, Smith, Stephens, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail.
Total 21

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: Daniels, Farrell.
Total 2

SB 396 - That SB 396 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 402 - That SB 402 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 409 - That SB 409 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch,

Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 411 - That SB 411 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 412 - That SB 412 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 44

Noes: Blaylock, Haffey.
Total 2

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: Goodover, Yellowtail.
Total 2

SB 414 - That SB 414 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 415 - That SB 415 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 416 - That SB 416 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Story moved the adoption of the committee report. Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Aklestad in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

At the request of Senator Van Valkenburg, and without objection, SB 421 and SB 424 be moved below SB 418.

At the request of Senator Story, and without objection, SB 421 be moved above SB 418.

SB 421 - That SB 421, second reading copy, be amended as follows:

1. Page 1.
Following: line 20
Insert: "NEW SECTION. Section 2. Coordination instruction. If House Bill No. 265 is passed and approved, section 1 of this act is void."

Amendment passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Story, Thayer, Towe, Van Valkenburg, Yellowtail, Mr. President.
Total 30

Noes: Aklestad, Boylan, Conover, Crippen, Galt, Goodover, Hager, Hammond, Lane, McCallum, Severson, Shaw, Smith, Stephens, Tveit, Weeding, Williams.
Total 17

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: Stimatz.
Total 1

That SB 421, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 418 - That SB 418, second reading copy, be amended as follows:

1. Page 1.
Following: line 17
Insert: "NEW SECTION. Section 2. Coordination instruction. If House Bill No. 265 is passed and approved, this act is void."

Amendment passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Christiaens, Daniels, Eck, Farrell, Fuller, Haffey, Halligan, Jacobson, Lybeck, Lynch, Manning, Mazurek,

Mohar, Pinsoneault, Regan, Stimatz, Story, Towe, Van Valkenburg, Yellowtail, Mr. President.
Total 24

Noes: Aklestad, Boylan, Brown, Conover, Crippen, Gage, Galt, Goodover, Hager, Hammond, Harding, Hirsch, Keating, Lane, McCallum, Severson, Shaw, Smith, Stephens, Thayer, Tveit, Weeding, Williams.
Total 23

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: Himsl.
Total 1

That SB 418, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 42

Noes: Blaylock, Halligan, Jacobson, Lynch, Regan, Towe.
Total 6

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 424 - That SB 424, second reading copy, be amended as follows:

1. Page 1.
Following: line 24
Insert: "NEW SECTION. Section 2. Coordination instruction. If House Bill No. 265 is passed and approved, this act is void."

Amendment failed as follows:

Ayes: Anderson, Bengtson, Christiaens, Daniels, Eck, Farrell, Fuller, Haffey, Halligan, Himsl, Jacobson, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Stimatz, Story, Thayer, Towe, Van Valkenburg, Mr. President.
Total 24

Noes: Aklestad, Blaylock, Boylan, Brown, Conover, Crippen, Gage, Galt, Goodover, Hager, Hammond, Harding, Hirsch, Keating, Lane, McCallum, Severson, Shaw, Smith, Stephens, Tveit, Weeding, Williams, Yellowtail.
Total 24

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

That SB 424 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Towe.
Total 1

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Aklestad moved the adoption of the committee report. Report adopted.

Senator Van Valkenburg moved that the Senate recess until 10:30 a.m. Motion carried unanimously.

Senate recessed at 10:07 a.m.

Senate reconvened at 10:35 a.m.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Story in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 419 - At the request of Senator Weeding, and without objection, SB 419 be placed below SB 423.

SB 423 - That SB 423 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 419 - That SB 419 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 427 - That SB 427, second reading copy, be amended as follows:

1. Title, line 8.
Following: "~~ALLOWANCE;~~"
Insert: "PROVIDING FUNDING FOR THE ALLOWANCE;"

2. Page 4, line 13.
Following: "(b)"
Insert: "(i)"

3. Page 4, line 14.
Following: "and"
Insert: ", except as provided in subsection (1)(b)(ii),"

4. Page 4.
Following: line 21
Insert: "(ii) If insufficient money is contained in the state special revenue fund to pay the amount requested in subsection (1)(b)(i), the auditor shall pay to the administrator the balance contained in the state special revenue fund. The administrator shall continue to request any portion of the amount requested under subsection (1)(b)(i) not paid in previous fiscal years plus sufficient interest to reimburse the fund as defined in 19-13-104, and the auditor shall pay the requests as money in the state becomes available."

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

That SB 427, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 429 - At the request of Senator Pinsoneault, and without objection, SB 429 be placed below SB 463.

SB 432 - That SB 432 do pass. Motion carried as follows:

Ayes: Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 26

Noes: Aklestad, Anderson, Bengtson, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 22

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 433 - That SB 433 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 435 - That SB 435, second reading copy, be amended as follows:

1. Page 2.
Following: line 9

Insert: "NEW SECTION. Section 5. Coordination instruction. If House Bill No. 911 is passed and approved, this act is void."

Amendment failed as follows:

Ayes: Christiaens, Halligan, Manning, Mazurek, Mohar, Stimatz, Towe, Van Valkenburg.
Total 8

Noes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, McCallum, Pinsoneault, Regan, Shaw, Smith, Stephens, Story, Tveit, Weeding, Williams, Yellowtail.
Total 35

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: Daniels, Lynch, Severson, Thayer, Mr. President.
Total 5

That SB 435 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Conover, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Lane, Lybeck, Manning, McCallum, Mohar, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Weeding, Williams.
Total 33

Noes: Blaylock, Christiaens, Eck, Fuller, Haffey, Halligan, Jacobson, Lynch, Mazurek, Towe, Van Valkenburg, Yellowtail.
Total 12

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: Daniels, Regan, Mr. President.
Total 3

SB 438 - That SB 438 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 440 - That SB 440 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 441 - That SB 441 do pass. Motion failed as follows:

Ayes: Bengtson, Blaylock, Crippen, Eck, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg.
Total 9

Noes: Aklestad, Anderson, Boylan, Brown, Christiaens, Conover, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Weeding, Williams, Yellowtail.
Total 37

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: Daniels, Mr. President.
Total 2

Senator Fuller moved that SB 441 be indefinitely postponed. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams, Yellowtail, Mr. President.
Total 39

Noes: Bengtson, Crippen, Regan, Towe, Van Valkenburg.
Total 5

Excused: Kolstad, Neuman.
Total 2

Absent or not voting: Daniels, McCallum, Stimatz, Weeding.
Total 4

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Story moved the adoption of the committee report. Report adopted.

Senator Van Valkenburg moved that the Senate recess until 1:15 p.m. Motion carried unanimously.

Senate recessed at 12:07 p.m.

MOTIONS

Senate reconvened at 1:20 p.m.

Senator Neuman present at this time.

Senator Van Valkenburg moved that SB 338 be taken from the Committee on Finance and Claims and that it be rereferred to the Committee on Rules. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Gage, Keating, Pinsoneault.
Total 3

Excused: Kolstad.
Total 1

Absent or not voting: None.
Total 0

The following Senators requested their names be removed from HB 607 and that the House of Representatives be notified of this action: Eck, Conover.

Senator Blaylock requested that the Committee on Rules resolve a conflict in the rules of the 49th legislature as to whether or not a motion to pass consideration is debatable and that the issue be decided in a timely manner.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Story in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 444 - That SB 444 do pass. Motion failed as follows:

Ayes: Bengtson, Daniels, Eck, Fuller, Halligan, Lybeck, Manning, Mohar, Pinsoneault, Regan, Stimatz, Towe, Weeding, Yellowtail, Mr. President.
Total 15

Noes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Farrell, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lynch, Mazurek, McCallum, Neuman, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Van Valkenburg, Williams.
Total 34

Excused: Kolstad.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that SB 444 be indefinitely postponed. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Farrell, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Mazurek, McCallum, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Williams, Mr. President.
Total 39

Noes: Daniels, Eck, Fuller, Halligan, Manning, Mohar, Regan, Towe, Weeding, Yellowtail.
Total 10

Excused: Kolstad.
Total 1

Absent or not voting: None.
Total 0

SB 446 - That SB 446, second reading copy, be amended as follows:

1. Title, line 9.
Following: "CARTS;"
Strike: "AND"
Following: "PENALTIES"
Insert: "; AND PROVIDING A TERMINATION DATE"

2. Page 3.
Following: line 22
Insert: "NEW SECTION. Section 5. Termination date. This act terminates July 1, 1987."

Amendment failed as follows:

Ayes: Blaylock, Christiaens, Daniels, Fuller, Halligan, Lane, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Smith, Towe, Van Valkenburg, Weeding, Mr. President.
Total 18

Noes: Aklestad, Anderson, Bengtson, Brown, Conover, Crippen, Eck, Farrell, Gage, Galt, Goodover, Hager, Harding, Himsl, Hirsch, Keating, McCallum, Severson, Shaw, Stimatz, Story, Thayer, Tveit, Williams, Yellowtail.
Total 25

Excused: Kolstad.
Total 1

Absent or not voting: Boylan, Haffey, Hammond, Jacobson, Lybeck, Stephens.
Total 6

That SB 446 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Hager, Harding, Himsl, Hirsch, Keating, Lane, Lybeck, Manning, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Yellowtail.
Total 31

Noes: Blaylock, Christiaens, Halligan, Lynch, Mazurek, Mohar, Pinsoneault, Van Valkenburg, Weeding, Williams, Mr. President.

Total 11

Excused: Kolstad.
Total 1

Absent or not voting: Daniels, Goodover, Haffey, Hammond, Jacobson, McCallum, Tveit.
Total 7

SB 447 - That SB 447 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Kolstad.
Total 1

Absent or not voting: None.
Total 0

SB 448 - That SB 448 do pass. Motion failed as follows:

Ayes: Boylan, Brown, Christiaens, Crippen, Eck, Fuller, Galt, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Regan, Stimatz, Towe, Van Valkenburg, Williams, Mr. President.
Total 19

Noes: Aklestad, Anderson, Bengtson, Blaylock, Daniels, Farrell, Gage, Hager, Harding, Himsl, Hirsch, Keating, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Weeding, Yellowtail.
Total 24

Excused: Kolstad.
Total 1

Absent or not voting: Conover, Goodover, Haffey, Halligan, Hammond, Tveit.
Total 6

Senator Van Valkenburg moved that SB 448 be indefinitely postponed. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Hager, Halligan, Harding, Himsl, Hirsch, Keating, Mazurek, McCallum, Neuman, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Weeding, Yellowtail, Mr. President.
Total 32

Noes: Boylan, Brown, Eck, Jacobson, Lane, Lybeck, Lynch, Manning, Mohar, Pinsoneault, Regan, Towe, Van Valkenburg, Williams.
Total 14

Excused: Kolstad.

Total 1

Absent or not voting: Goodover, Haffey, Hammond.
Total 3

SB 449 - That SB 449, second reading copy, be amended as follows:

1. Page 2, line 12.
Following: "~~marriage,~~"
Insert: "adult person related by blood or marriage,"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Kolstad.
Total 1

Absent or not voting: None.
Total 0

That SB 449, second reading copy, be further amended as follows:

1. Title, line 6.
Following: "~~REQUIRING~~"
Strike: "AUTHORIZING"
Insert: "REQUIRING"

2. Page 5, line 5.
Following: "~~shall~~"
Strike: "MAY"
Insert: "shall"

3. Page 5, line 6.
Following: "the"
Insert: "evidence available to the"

4. Page 5, line 7.
Following: line 6, "officer"
Strike: "has"
Insert: "is clear that"
Following: "cause"
Insert: "does exist"

Amendment failed as follows:

Ayes: Bengtson, Boylan, Conover, Crippen, Eck, Halligan, Harding, Jacobson, Mohar, Regan, Stephens, Towe, Yellowtail.
Total 13

Noes: Aklestad, Anderson, Blaylock, Brown, Christiaens, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Hager, Himsl, Hirsch, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Severson,

Shaw, Smith, Story, Thayer, Tveit, Van Valkenburg, Weeding, Mr. President.
Total 32

Excused: Kolstad.
Total 1

Absent or not voting: Haffey, Hammond, Stimatz, Williams.
Total 4

That SB 449, second reading copy, be further amended as follows:

1. Page 1.
Strike: lines 14 and 15 in their entirety

Amendment passed as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Bengtson, Eck, Jacobson, Regan.
Total 4

Excused: Kolstad.
Total 1

Absent or not voting: None.
Total 0

That SB 449, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Kolstad.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Story moved the adoption of the committee report. Report adopted.

Senator Van Valkenburg moved that the Senate recess until 4:00 p.m. Motion carried unanimously.

Senate recessed at 3:36 p.m.

MOTIONS

Senate reconvened at 4:03 p.m.

Senator Eck moved that her name be placed in front of Representative Bardanouve's name as sponsor on SB 452. Motion carried unanimously.

Senator Fuller moved that SB 462 be taken from the Committee on Local Government and that it be rereferred to the Committee on Taxation. Motion carried unanimously.

Senator Neuman moved that the Senate reconsider its action in adopting the adverse committee report on SB 241 and that it be printed and placed on second reading. Motion carried as follows:

Ayes: Bengtson, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Smith, Stephens, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Mr. President.
Total 31

Noes: Aklestad, Anderson, Boylan, Crippen, Gage, Hammond, Harding, Himsl, Hirsch, Keating, McCallum, Severson, Shaw, Story, Tveit, Williams.
Total 16

Excused: Kolstad.
Total 1

Absent or not voting: Blaylock, Yellowtail.
Total 2

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Story in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 450 - That SB 450 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Daniels, Regan, Towe.
Total 3

Excused: Kolstad.
Total 1

Absent or not voting: None.
Total 0

SB 451 - That SB 451 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Kolstad.
Total 1

Absent or not voting: None.
Total 0

SB 452 - That SB 452 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Kolstad.
Total 1

Absent or not voting: None.
Total 0

SB 453 - That SB 453, second reading copy, be amended as follows:

1. Page 6, lines 17 through 25.
Strike: subsections (c) and (d) in their entirety
Renumber: subsequent subsections

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Kolstad.
Total 1

Absent or not voting: None.
Total 0

That SB 453, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Kolstad.
Total 1

Absent or not voting: None.
Total 0

SB 454 - That SB 454 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Kolstad.
Total 1

Absent or not voting: None.
Total 0

SB 457 - That SB 457 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Kolstad.
Total 1

Absent or not voting: None.
Total 0

SB 458 - That SB 458 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum,

Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Kolstad.
Total 1

Absent or not voting: None.
Total 0

SJR 21 - That SJR 21 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Kolstad.
Total 1

Absent or not voting: None.
Total 0

SJR 22 - That SJR 22 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Kolstad.
Total 1

Absent or not voting: None.
Total 0

SJR 26 - That SJR 26 do pass. Motion carried as follows:

Ayes: Anderson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Gage, Goodover, Haffey, Hammond, Harding, Himsl, Hirsch, Keating, Lynch, Manning, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 26

Noes: Aklestad, Bengtson, Blaylock, Eck, Fuller, Hager, Halligan, Jacobson, Lane, Lybeck, Mazurek, Mohar, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 20

Excused: Kolstad.
Total 1

Absent or not voting: Galt, Neuman, Pinsoneault.
Total 3

SJR 27 - That SJR 27 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Kolstad.
Total 1

Absent or not voting: None.
Total 0

Senator Neuman excused at this time.

SB 21 - That SB 21 do pass. Motion carried as follows:

Ayes: Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Haffey, Halligan, Harding, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 25

Noes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Farrell, Galt, Goodover, Hager, Hammond, Himsl, Hirsch, Keating, McCallum, Mohar, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Mr. President.
Total 23

Excused: Neuman, Kolstad.
Total 2

Absent or not voting: None.
Total 0

Senator Neuman present at this time.

SB 271 - That SB 271 do pass. Motion failed as follows:

Ayes: Aklestad, Eck, Farrell, Gage, Galt, Hammond, Harding, Keating, Lynch, Mazurek, McCallum, Pinsoneault, Severson, Shaw, Smith, Thayer, Tveit.
Total 17

Noes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Fuller, Goodover, Haffey, Hager, Halligan, Himsl, Hirsch, Jacobson, Lane, Lybeck, Manning, Mohar, Neuman, Regan, Stephens, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 32

Excused: Kolstad.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that SB 271 be indefinitely postponed. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Fuller, Goodover, Haffey, Hager, Halligan, Himsl, Hirsch, Jacobson, Lane, Lybeck, Manning, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 34

Noes: Aklestad, Eck, Farrell, Gage, Galt, Hammond, Harding, Keating, Lynch, Mazurek, McCallum, Severson, Thayer, Tveit.
Total 14

Excused: Kolstad.
Total 1

Absent or not voting: Weeding.
Total 1

SB 281 - That SB 281, second reading copy, be amended as follows:

1. Page 4, line 18.
Strike: "OR THE WORKERS' COMPENSATION JUDGE"

2. Page 4, lines 21 through 23.
Strike: ", OR THE WORKERS' COMPENSATION JUDGE IF THE DIVISION HAS NOT ALREADY SO ORDERED,"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Kolstad.
Total 1

Absent or not voting: None.
Total 0

That SB 281, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 49

Noes: None.
Total 0

Excused: Kolstad.
Total 1

Absent or not voting: None.
Total 0

SB 288 - That SB 288 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Kolstad.
Total 1

Absent or not voting: None.
Total 0

SB 370 - That SB 370, second reading copy, be amended as follows:

1. Page 1, line 21.
Strike: "$50,452"
Insert: "$51,722"

Amendment withdrawn.

That SB 370 do pass. Motion carried as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Haffey, Hager, Himsl, Jacobson, Keating, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 30

Noes: Aklestad, Anderson, Boylan, Farrell, Gage, Galt, Goodover, Halligan, Hammond, Harding, Neuman, Severson, Shaw, Smith, Stephens, Thayer, Tveit.
Total 17

Excused: Kolstad.
Total 1

Absent or not voting: Hirsch, Lynch.
Total 2

SB 463 - That SB 463 do pass. Motion failed as follows:

Ayes: Bengtson, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Goodover, Haffey, Harding, Jacobson, Keating, Lynch, Manning, Mazurek, Neuman, Pinsoneault, Regan, Smith, Stimatz, Towe, Van Valkenburg, Mr. President.
Total 24

Noes: Aklestad, Anderson, Blaylock, Boylan, Farrell, Gage, Galt, Hager, Halligan, Hammond, Himsl, Hirsch, Lane, Lybeck, McCallum, Mohar, Severson, Shaw, Stephens, Story, Thayer, Tveit, Weeding, Williams, Yellowtail.
Total 25

Excused: Kolstad.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that SB 463 be indefinitely postponed. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Gage, Galt, Hager, Halligan, Hammond, Himsl, Hirsch, Lane, Lybeck, McCallum, Mohar, Neuman, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 34

Noes: Bengtson, Conover, Fuller, Goodover, Haffey, Harding, Jacobson, Keating, Lynch, Manning, Mazurek, Pinsoneault, Regan, Towe, Van Valkenburg.
Total 15

Excused: Kolstad.
Total 1

Absent or not voting: None.
Total 0

Senator Kolstad present at this time.

SB 429 - That SB 429, second reading copy, be amended as follows:

1. Page 5, line 22.
Following: "a"
Insert: "felony"

2. Page 5, line 25.
Strike: subsection (b) in its entirety
Renumber: subsequent subsections

3. Page 6, line 7.
Following: "theft"
Strike: ", if the offense constitutes a felony"

4. Page 6, line 8.
Following: "45-6-317,"
Strike: "45-6-318,"

5. Page 6, line 14.
Following: "mischief"
Strike: ", if the offense constitutes a felony"

6. Page 6, line 17.
Following: "weapons"
Strike: ", if the offense constitutes a felony"

7. Page 6, line 22.
Following: "45-7-303"
Strike: ","

Insert: "and"
Following: "45-7-306,"
Strike: "and 45-7-307,"

8. Page 6, line 25 and line 1, page 7.
Following: "procedure" on line 25
Strike: ", if the offense constitutes a felony"

9. Page 7, line 8.
Following: "drugs"
Strike: ", if the offense constitutes a felony"

10. Page 22, line 2.
Following: "section"
Strike: "41"
Insert: "42"

11. Page 39.
Following: line 13
Strike: "32"
Insert: "33"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That SB 429, as amended, do pass. Senator Towe made a substitute motion that SB 429 be indefinitely postponed. Substitute motion carried as follows:

Ayes: Aklestad, Bengtson, Blaylock, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Haffey, Hager, Halligan, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Manning, Neuman, Regan, Shaw, Stephens, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 30

Noes: Anderson, Boylan, Brown, Farrell, Gage, Galt, Goodover, Hammond, Harding, Keating, Lynch, Mazurek, McCallum, Mohar, Pinsoneault, Severson, Smith, Story, Tveit.
Total 19

Excused: None.
Total 0

Absent or not voting: Thayer.
Total 1

SJR 24 - That SJR 24 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Farrell, Fuller, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Van Valkenburg, Williams, Mr. President.
Total 38

Noes: Blaylock, Daniels, Eck, Haffey, Lybeck, Lynch, Manning, Mohar, Stimatz, Towe, Weeding, Yellowtail.
Total 12

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 25 - That SJR 25 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 29 - That SJR 29 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 30 - That SJR 30 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch,

Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Aklestad in the Chair.

SB 241 - That SB 241, second reading copy, be amended as follows:

1. Page 2, line 7.
Following: "flat fee"
Insert: ", not to exceed $75 per year,"

2. Page 2, line 10.
Following: "improvement."
Insert: "The schedule of fees may not exceed, per year, $50 for residential improvements, $75 for commercial or public service improvements, and $100 for commercial improvements that create extreme fire-fighting dangers."

3. Page 2, lines 11 and 12.
Following: "fees" on line 11
Strike: remainder of line 11 through "adoption" on line 13
Insert: "The fees may be adopted after the receipt of petitions approving the imposition of the fee. The petitions must be signed by the owners of 50% or more of the improvements to be protected by the applicable fire companies."

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That SB 241, as amended, do pass. Motion failed as follows:

Ayes: Blaylock, Brown, Christiaens, Eck, Fuller, Haffey, Halligan, Jacobson, Manning, Mohar, Neuman, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Mr. President.
Total 17

Noes: Aklestad, Anderson, Bengtson, Boylan, Conover, Crippen, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Lynch, Mazurek, McCallum, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Tveit, Yellowtail.
Total 30

Excused: None.
Total 0

Absent or not voting: Daniels, Farrell, Thayer.
Total 3

Senator Story moved that SB 241 be indefinitely postponed. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Conover, Crippen, Gage, Galt, Goodover, Hager, Hammond, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Mazurek, McCallum, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 32

Noes: Blaylock, Brown, Christiaens, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lynch, Manning, Mohar, Neuman, Thayer, Towe, Van Valkenburg.
Total 16

Excused: None.
Total 0

Absent or not voting: Farrell, Harding.
Total 2

Senator Story in the Chair.

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Story moved the adoption of the committee report. Report adopted.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The House, on 2/26/85, requested the return of HB 270, introduced by Marks, Harper, et al., for further consideration.

MOTIONS

Senator Jacobson moved that HB 270 be taken from the Committee on Public Health, Welfare and Safety and that it be returned to the House of Representatives at their request. Motion carried unanimously.

Senator Van Valkenburg moved that the Senate adjourn until 9:00 a.m., February 27, 1985.

Motion carried.

Senate adjourned at 7:40 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

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OF THE

Forty-Ninth Legislature

OF THE

STATE OF MONTANA

VOLUME II

Held in Helena, the Seat of Government
Commencing in Regular Session January 7, 1985
and Ending April 25, 1985

BILL NORMAN
President of the Senate

BONNIE R. WALLEM
Secretary of the Senate

PUBLISHED BY
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FORTY-FIFTH LEGISLATIVE DAY

Helena, Montana
February 27, 1985

Senate Chambers
State Capitol

Senate convened at 9:03 a.m., President Norman presiding. Invocation by the Chaplain, Pastor Monsen. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journals for the forty-third and forty-fourth legislative days, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 2/26/85

Correctly engrossed: SB 281, SB 394, SB 418, SB 421, SB 427, SB 449, SB 453.

Considered correctly engrossed: SB 21, SB 288, SB 370, SB 392, SB 396, SB 402, SB 409, SB 411, SB 412, SB 414, SB 415, SB 416, SB 419, SB 423, SB 424, SB 432, SB 433, SB 435, SB 438, SB 440, SB 446, SB 447, SB 450, SB 451, SB 452, SB 454, SB 457, SB 458, SJR 21, SJR 22, SJR 24, SJR 25, SJR 26, SJR 27, SJR 29, SJR 30.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 2/26/85

HB 121, introduced by Nathe

HB 277, introduced by Manuel

HB 329, introduced by Hannah, Spaeth

HB 363, introduced by Marks

HB 383, introduced by Nathe, et al.

HB 452, introduced by Rapp-Svrcek, et al.

HB 506, introduced by Harper, et al.

HB 540, introduced by Devlin, et al.

HB 637, introduced by Iverson

HB 670, introduced by Iverson

HB 680, introduced by Iverson, et al.

HB 696, introduced by Kitselman, et al.

HB 704, introduced by Marks, et al.

HB 707, introduced by Jenkins, et al.

HB 711, introduced by Cohen, et al.

HB 743, introduced by Miller

HB 758, introduced by Winslow

HB 764, introduced by Harp, et al.

HB 783, introduced by Miles, et al.

HB 799, introduced by M. Williams, Addy

HB 801, introduced by Jenkins, et al.

HB 807, introduced by Hannah, Keating

HB 820, introduced by Rapp-Svrcek, et al.

HB 840, introduced by Hanson, et al.

HB 842, introduced by Lory, et al.

HB 845, introduced by Schye, H. Hammond

HB 846, introduced by Schye, et al.

HB 852, introduced by Harp, et al.

HB 853, introduced by Krueger, et al.

HB 871, introduced by J. Brown, et al.

HB 875, introduced by Ramirez, Phillips

HB 889, introduced by M. Williams, et al.

HB 894, introduced by Sands, et al.

HB 900, introduced by Hart, et al.

HJR 33, introduced by Bardanouve

HJR 34, introduced by Asay, et al.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 21 failed to pass as follows:

Ayes: Boylan, Christiaens, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail.
Total 22

Noes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Conover, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, McCallum, Mohar, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Weeding, Mr. President.
Total 28

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 22 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 49

Noes: Lynch.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 74 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 27

Noes: Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 23

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 83 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Kolstad, McCallum, Smith.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 116 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Hammond, Mohar, Smith, Thayer, Tveit.
Total 5

Excused: None.

Total 0

Absent or not voting: None.
Total 0

SB 156 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 182 passed as follows:

Ayes: Aklestad, Anderson, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lybeck, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams.
Total 29

Noes: Bengtson, Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lane, Lynch, Manning, Mazurek, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 21

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 206 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 217 failed to pass as follows:

Ayes: Brown, Conover, Daniels, Fuller, Lane, Lybeck, Mazurek, Neuman, Pinsoneault, Regan, Severson, Stimatz, Towe, Mr. President.
Total 14

Noes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Crippen, Eck, Farrell, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lynch, Manning, McCallum, Mohar, Shaw, Smith, Stephens, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 36

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 258 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Shaw.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 277 passed as follows:

Ayes: Bengtson, Blaylock, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Galt, Haffey, Halligan, Himsl, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 29

Noes: Aklestad, Anderson, Boylan, Brown, Farrell, Gage, Goodover, Hager, Hammond, Harding, Hirsch, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 21

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 279 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Daniels, Farrell, Gage, Galt, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Kolstad, Lybeck, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 31

Noes: Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Fuller, Goodover, Halligan, Jacobson, Keating, Lane, Lynch, Manning, Mazurek, Mohar, Neuman, Regan, Thayer.
Total 19

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 281 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 284 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 288 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 308 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Hammond, Thayer.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 324 failed to pass as follows:

Ayes: Anderson, Bengtson, Boylan, Christiaens, Conover, Daniels, Farrell, Goodover, Haffey, Hirsch, Jacobson, Kolstad, Lane, Lynch, Manning, McCallum, Stimatz, Story, Thayer, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 24

Noes: Aklestad, Blaylock, Brown, Crippen, Eck, Fuller, Gage, Galt, Hager, Halligan, Hammond, Harding, Himsl, Keating, Lybeck, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Tveit, Weeding.
Total 26

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 325 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Goodover, Haffey, Hager, Halligan, Harding, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Thayer, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 37

Noes: Aklestad, Christiaens, Gage, Galt, Hammond, Himsl, Hirsch, Keating, Shaw, Smith, Story, Tveit, Weeding.
Total 13

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 329 passed as follows:

Ayes: Anderson, Blaylock, Boylan, Brown, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Hager, Halligan, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Stephens, Story, Thayer, Towe, Van Valkenburg, Williams, Yellowtail.
Total 36

Noes: Aklestad, Bengtson, Christiaens, Gage, Haffey, Hammond, Harding, Jacobson, Shaw, Smith, Stimatz, Tveit, Weeding, Mr. President.
Total 14

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 340 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Haffey, Hager, Halligan, Hammond, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 39

Noes: Aklestad, Daniels, Gage, Galt, Goodover, Harding, Himsl, McCallum, Shaw, Thayer, Tveit.
Total 11

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 353 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Stephens.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 356 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson,

Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Daniels, Towe.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 364 passed as follows:

Ayes: Aklestad, Anderson, Boylan, Crippen, Daniels, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Hirsch, Keating, Kolstad, Lybeck, Lynch, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit.
Total 27

Noes: Bengtson, Blaylock, Brown, Christiaens, Conover, Eck, Fuller, Haffey, Halligan, Himsl, Jacobson, Lane, Manning, Mazurek, Mohar, Neuman, Regan, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 23

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 365 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Farrell, Severson.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 370 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Haffey, Hager, Himsl, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 33

Noes: Aklestad, Boylan, Farrell, Gage, Galt, Goodover, Halligan, Hammond, Harding, Hirsch, Kolstad, Severson, Shaw, Smith, Stephens, Thayer, Tveit.
Total 17

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 375 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 376 passed as follows:

Ayes: Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Eck, Farrell, Fuller, Himsl, Hirsch, Keating, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 30

Noes: Aklestad, Blaylock, Crippen, Daniels, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Jacobson, Kolstad, Lynch, McCallum, Shaw, Smith, Stephens, Tveit.
Total 20

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 385 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 387 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 392 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Conover, Crippen, Daniels, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Williams.
Total 34

Noes: Blaylock, Brown, Christiaens, Eck, Fuller, Haffey, Halligan, Jacobson, Mazurek, Neuman, Regan, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 16

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 394 failed to pass as follows:

Ayes: Aklestad, Blaylock, Christiaens, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Harding, Jacobson, Kolstad, Lynch, Neuman, Regan, Stimatz, Story, Thayer, Towe, Van Valkenburg.
Total 22

Noes: Anderson, Bengtson, Boylan, Brown, Conover, Daniels, Hager, Halligan, Hammond, Himsl, Hirsch, Keating, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Severson, Shaw, Smith, Stephens, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 28

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 396 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 402 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 409 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 411 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 412 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 414 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 415 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith,

Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 416 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Hirsch.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 418 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Conover, Crippen, Farrell, Fuller, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Mazurek, McCallum, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 38

Noes: Blaylock, Christiaens, Daniels, Eck, Haffey, Halligan, Jacobson, Lynch, Manning, Mohar, Regan, Thayer.
Total 12

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 419 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.

Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 421 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Blaylock, Eck, Halligan, Jacobson, Lynch, Manning, Regan.
Total 7

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 423 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Neuman, Thayer.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 424 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Blaylock, Daniels, Eck, Jacobson, Lynch.
Total 5

Excused: None.
Total 0

Absent or not voting: None.

Total 0

SB 427 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 432 passed as follows:

Ayes: Blaylock, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 26

Noes: Aklestad, Anderson, Bengtson, Boylan, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 24

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 433 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 435 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Conover, Crippen, Daniels, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl,

Hirsch, Keating, Kolstad, Lane, Lybeck, McCallum, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 34

Noes: Blaylock, Christiaens, Eck, Fuller, Haffey, Halligan, Jacobson, Lynch, Manning, Mazurek, Mohar, Regan, Stimatz, Thayer, Towe, Yellowtail.
Total 16

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 438 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 440 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 446 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.

Total 46

Noes: Mohar, Neuman, Stimatz, Mr. President.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 447 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Hager.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 449 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 450 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Daniels, Regan, Towe.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 451 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 452 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 453 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.

Total 0

SB 454 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 457 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 458 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 21 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 22 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 42

Noes: Aklestad, Galt, Hammond, Himsl, McCallum, Shaw, Story, Tveit.
Total 8

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 24 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Blaylock, Haffey, Lybeck, Lynch, Manning, Mohar, Towe.
Total 7

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 25 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith,

Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 26 failed to pass as follows:

Ayes: Anderson, Boylan, Brown, Crippen, Farrell, Fuller, Gage, Galt, Goodover, Harding, Himsl, Hirsch, Keating, Kolstad, McCallum, Pinsoneault, Severson, Smith, Stephens, Stimatz, Story, Thayer.
Total 22

Noes: Aklestad, Bengtson, Blaylock, Christiaens, Conover, Daniels, Eck, Haffey, Hager, Halligan, Hammond, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Regan, Shaw, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 28

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 27 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 29 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Neuman.

Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 30 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of Senator Halligan, and without objection, Senator Halligan's vote on SB 392 be recorded as no.

At the request of Senator Kolstad, and without objection, Senator Kolstad's vote on SJR 26 be recorded as yes.

At the request of Senator Thayer, and without objection, Senator Thayer's vote on SB 418 be recorded as no.

At the request of Senator Anderson, and without objection, Senator Anderson's vote on SB 432 be recorded as no.

MOTIONS

Senator Van Valkenburg moved that the Senate reconsider its action in passing SB 364 on third reading this legislative day. Motion carried as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Fuller, Haffey, Halligan, Himsl, Hirsch, Jacobson, Lane, Manning, Mazurek, Mohar, Neuman, Regan, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 26

Noes: Aklestad, Anderson, Boylan, Daniels, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Keating, Kolstad, Lybeck, Lynch, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Tveit.
Total 24

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Pinsoneault moved that SB 364 be placed on second reading this legislative day. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Hirsch, Keating, Kolstad, Lybeck, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit.
Total 29

Noes: Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Himsl, Jacobson, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Regan, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 21

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Stimatz moved that the Senate reconsider its action in failing to pass SB 324 on third reading this legislative day.

Senator Stephens called for the previous question. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Daniels, Farrell, Fuller, Goodover, Haffey, Halligan, Jacobson, Lane, Lynch, Manning, Neuman, Pinsoneault, Regan, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Williams, Mr. President.
Total 26

Noes: Aklestad, Brown, Crippen, Eck, Gage, Galt, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lybeck, Mazurek, McCallum, Mohar, Severson, Shaw, Smith, Stephens, Story, Tveit, Yellowtail.
Total 24

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Stimatz' motion that the Senate reconsider its action in failing to pass SB 324 on third reading this legislative day failed as follows:

Ayes: Anderson, Bengtson, Boylan, Christiaens, Conover, Daniels, Farrell, Fuller, Goodover, Haffey, Halligan, Jacobson, Lane, Lynch, Manning, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Mr. President.
Total 24

Noes: Aklestad, Blaylock, Brown, Crippen, Eck, Gage, Galt, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lybeck, Mazurek, McCallum, Mohar, Severson, Shaw, Smith, Stephens, Story, Tveit, Yellowtail.
Total 25

Excused: None.
Total 0

Absent or not voting: Thayer.
Total 1

Senator Van Valkenburg moved that the Senate recess until 11:00 a.m. for a Committee on Rules meeting. Motion carried unanimously.

Senate recessed at 10:42 a.m.

Senate reconvened at 11:05 a.m.

Senator Pinsoneault moved that the Senate reconsider its action in adopting the motion that SB 364 be placed on second reading this legislative day. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Crippen, Daniels, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Keating, Kolstad, Lybeck, Lynch, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit.
Total 29

Noes: Christiaens, Conover, Eck, Fuller, Haffey, Halligan, Himsl, Hirsch, Jacobson, Lane, Manning, Mazurek, Mohar, Neuman, Regan, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 21

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Pinsoneault moved that SB 364 be placed on third reading this legislative day. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Daniels, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, Lybeck, Lynch, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit.
Total 31

Noes: Christiaens, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Manning, Mazurek, Mohar, Neuman, Regan, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 19

Excused: None.
Total 0

Absent or not voting: None.
Total 0

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

SB 364 failed to pass as follows:

Ayes: Aklestad, Anderson, Boylan, Daniels, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Keating, Kolstad, Lybeck, Lynch, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Tveit.
Total 24

Noes: Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Fuller, Haffey, Halligan, Himsl, Hirsch, Jacobson, Lane, Manning, Mazurek, Mohar, Neuman, Regan, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 26

Excused: None.

Total 0

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 2/27/85

Recommend that at the close of business February 27, 1985, the following employment be terminated:

Charles Danielson.....Page
Kip Beardsley.....Page
Bobbie McAuley.....Page
Kerri Harnett.....Page
Lorna Snowberger.....Page
Amy Bird.....Page
Wendy Jacobson.....Page
Patty Kasperick.....Page
Brad Thompson.....Page

Report adopted.

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., March 4, 1985.

Motion carried.

Senate adjourned at 11:25 a.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

FORTY-SIXTH LEGISLATIVE DAY

Helena, Montana
March 4, 1985

Senate Chambers
State Capitol

Senate convened at 3:03 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Stimatz, Hirsch, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the forty-fifth legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 2/27/85
Correctly enrolled: SB 407.
Examined by the sponsor (Williams) and found to be correct: SB 407.
Signed by the President at 3:45 p.m., 2/27/85: SB 407.
Delivered to the Governor for his approval at 5:00 p.m., 2/27/85: SB 407.

Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

February 28, 1985

Dear Mr. President:

This is to inform you that I have signed Senate Bill No. 407 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

March 4, 1985

Dear Senator Norman:

Please be informed of the following corrections for appointments submitted by Governor Schwinden to the Montana State Senate:

Ms. Maria N. Murray, Butte, has been reappointed to the Highway Commission for a term ending 1/2/89.

Ms. Janice M. Snow has been reappointed to the Montana Arts Council for a term ending 2/1/90.

The following names are hereby withdrawn from submission for senate confirmation:

Ms. D.M. Osborn, Billings, as a member of the Montana Health Facility Authority. Ms. Osborn has recently submitted her resignation.

Mr. David L. Hunter, as director of the Office of Budget and Program Planning. Pursuant to Section 17-7-103, MCA, this position does not require senate confirmation.

Mr. Raymond J. Froehlich, Missoula, as a member of the Board of Private Security Patrolmen and Investigators. Sheriff Froehlich is now deceased.

Sincerely,

Teresa Olcott Cohea
Executive Assistant

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bill concurred in and returned to the Senate: 2/27/85

SB 407, introduced by B. Williams

House bills passed and transmitted to the Senate for concurrence: 2/27/85

HB 95, introduced by Ramirez

HB 567, introduced by Schultz, et al.

HB 616, introduced by J. Brown, et al.

HB 676, introduced by Donaldson, et al.

HB 714, introduced by Spaeth, Ramirez

HB 782, introduced by Menahan, et al.

HB 791, introduced by Brandewie

HB 885, introduced by Sales

HB 913, introduced by D. Brown, et al.

HB 921, introduced by Thoft, et al.

HB 923, introduced by Marks, Vincent

HB 924, introduced by Bardanouve

HJR 13, introduced by Winslow, et al.

HJR 35, introduced by D. Brown, et al.

HJR 39, introduced by Menahan, et al.

HB 75, introduced by Hannah

HB 387, introduced by Addy

HB 396, introduced by Spaeth, et al.

HB 472, introduced by Bradley, J. Brown

HB 489, introduced by Waldron

HB 493, introduced by Ramirez, et al.

HB 495, introduced by Ramirez, et al.

HB 516, introduced by Keyser, et al.

HB 520, introduced by Grady, et al.

HB 529, introduced by Addy

HB 554, introduced by Connelly, et al.

HB 571, introduced by Bergene, et al.

HB 638, introduced by Iverson, D. Brown

HB 649, introduced by J.K. Moore, et al.

HB 665, introduced by Keenan, et al.

HB 686, introduced by Keenan, et al.

HB 716, introduced by Thoft

HB 750, introduced by Bardanouve

HB 760, introduced by Nathe, et al.

HB 766, introduced by Ream, et al.

HB 768, introduced by Bradley, et al.

HB 793, introduced by Keenan, et al.

HB 798, introduced by Miles, Krueger

HB 815, introduced by Hayne, et al.

HB 849, introduced by Donaldson, Van Valkenburg

HB 859, introduced by Ramirez, Hand

HB 860, introduced by D. Brown, et al.

HB 864, introduced by Fritz, Hannah

HB 877, introduced by Pavlovich

HB 880, introduced by Pavlovich

HB 883, introduced by Kadas

HB 884, introduced by Driscoll

HB 890, introduced by Menahan, et al.

HB 891, introduced by Addy, et al.

HB 893, introduced by Quilici, et al.

HB 895, introduced by Pavlovich

HB 896, introduced by Iverson

HB 901, introduced by D. Brown

HB 910, introduced by Menahan, et al.

HB 911, introduced by Hannah, D. Brown

HB 912, introduced by D. Brown, et al.

HJR 9, introduced by Waldron

HJR 24, introduced by Raney, et al.

HJR 37, introduced by Hannah, D. Brown

HJR 38, introduced by Bachini, et al.

HB 494, introduced by Ramirez, et al., requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature,

passed the House and is transmitted to the Senate for concurrence, with the following vote: 2/27/85

House of Representatives
Yeas - 55
Noes - 45

MOTIONS

Senator Van Valkenburg moved that HB 366 be taken from the Committee on Business and Industry and that it be rereferred to the Committee on Judiciary. Motion carried unanimously.

Senators Smith and Tveit excused at this time.

Senator Towe moved that the Senate reconsider its action in failing to pass SB 21 on third reading on the 45th legislative day. Motion carried as follows:

Ayes: Bengtson, Blaylock, Boylan, Christiaens, Conover, Daniels, Eck, Fuller, Gage, Haffey, Halligan, Harding, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 28

Noes: Aklestad, Anderson, Brown, Crippen, Farrell, Galt, Goodover, Hager, Hammond, Himsl, Keating, Kolstad, McCallum, Mohar, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Mr. President.
Total 22

Paired: Christiaens, Hirsch, Stimatz, Van Valkenburg, Ayes; McCallum, Smith, Stephens, Tveit, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Towe moved that SB 21 be rereferred to the Committee on Taxation. Motion carried unanimously.

FIRST READING OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 18, introduced by Donaldson. Referred to Committee on Education and Cultural Resources.
HB 121, introduced by Nathe. Referred to Committee on Business and Industry.
HB 277, introduced by Manuel, (By Request of the Board of Crime Control). Referred to Committee on Local Government.
HB 329, introduced by Hannah, Spaeth. Referred to Committee on Judiciary.
HB 363, introduced by Marks. Referred to Committee on Judiciary.
HB 383, introduced by Nathe, Harp, Menahan, Bardanouve, Raney, Harbin, Iverson, Keyser, E. Smith, Ellison, Peck, Switzer, Harper, Holliday, Poff, Cody, Fritz, Tveit, H. Hammond, Towe, Jenkins, Bengtson, Patterson, Quilici, Abrams, Brandewie, Thoft. Referred to Committee on Highways and Transportation.
HB 452, introduced by Rapp-Svrcek, Harp, Raney, Harbin, Connelly, Hager, Lybeck, B. Brown, (By Request of the Department of Commerce). Referred to Committee on Highways and Transportation.

HB 497, introduced by Koehnke, McCormick, Bengtson. Referred to Committee on Education and Cultural Resources.

HB 506, introduced by Harper, Marks, Spaeth, Asay, J. Moore, Keller, O'Connell, Hart, Iverson, Rapp-Svrcek, D. Brown, Schye, Raney, Hayne, Wallin, Peterson, Harbin, Thoft, (By Request of the Department of Agriculture). Referred to Committee on Agriculture, Livestock and Irrigation.

HB 540, introduced by Devlin, Winslow, Schultz, Simon, Hannah, Ellison, Keyser, Iverson, Switzer, Nathe, E. Smith, Marks, D. Brown, Tveit, Hirsch, Mazurek, Pavlovich, Krueger, Abrams. Referred to Committee on Public Health, Welfare and Safety.

HB 551, introduced by Rehberg, (By Request of the Office of Public Instruction). Referred to Committee on Education and Cultural Resources.

HB 561, introduced by Miller, (By Request of the Board of Cosmetologists). Referred to Committee on Public Health, Welfare and Safety.

HB 563, introduced by Miller, (By Request of the Board of Cosmetologists). Referred to Committee on Public Health, Welfare and Safety.

HB 568, introduced by J.K. Moore, Menahan, Thayer. Referred to Committee on Business and Industry.

HB 611, introduced by Devlin, E. Smith, Ellison, Switzer, Holliday, Asay, Keyser, Hanson, Phillips, Abrams, Keller, Thoft, Nathe, Tveit. Referred to Committee on Fish and Game.

HB 634, introduced by Lory, Connelly, Quilici, Keating, (By Request of the Securities Division of the State Auditor's Office). Referred to Committee on State Administration.

HB 637, introduced by Iverson, (By Request of the Department of State Lands). Referred to Committee on Natural Resources.

HB 670, introduced by Iverson, (By Request of the Department of State Lands). Referred to Committee on Natural Resources.

HB 680, introduced by Iverson, Blaylock, Harp, Shaw, Asay, Holliday, Cody, Harper, Marks, Neuman, Abrams, D. Brown, Van Valkenburg, Kadas, Vincent, Donaldson, Nathe, Bradley, Bardanouve, Poff, Tveit, E. Smith, (By Request of the Select Committee on Water Marketing). Referred to Committee on Natural Resources.

HB 694, introduced by Asay, Simon, E. Smith, Tveit, Jones, Gilbert, Devlin. Referred to Committee on Natural Resources.

HB 696, introduced by Kitselman, Spaeth, Haffey, Goodover, Asay. Referred to Committee on Taxation.

HB 704, introduced by Marks, Campbell, Waldron, J.K. Moore, Harper, Keyser, Peck, Koehnke. Referred to Committee on Taxation.

HB 707, introduced by Jenkins, Manuel, Compton, Iverson. Referred to Committee on Business and Industry.

HB 711, introduced by Cohen, Brandewie, Mercer, Pinsoneault, Harp, Ream, Lybeck, Kadas, Miles, C. Smith, Jones, Harbin, Darko, Eck, Nelson, Connelly, Harper, B. Brown, Harding. Referred to Committee on Public Health, Welfare and Safety.

HB 712, introduced by Miller, Cobb, Abrams, Spaeth, E. Smith, Conover, D. Brown, Bradley, Ernst, Jenkins, Boylan. Referred to Committee on Judiciary.

HB 715, introduced by Spaeth, Mazurek, Bergene, Patterson, Christiaens, Keller, Hand, Abrams, Howe, Grady, Ramirez, Mercer. Referred to Committee on Labor and Employment Relations.

HB 717, introduced by Waldron. Referred to Committee on Judiciary.

HB 720, introduced by J. Brown, Miles, Cohen, Hansen, Connelly, Kadas, Ream, Keenan, Pistoria, Fuller, Harrington, Fritz, Eck, Addy, Bradley, Lory, (By Request of the Office of the Governor). Referred to Committee on Public Health, Welfare and Safety.

HB 722, introduced by Nisbet, Miller, Hansen, Lory, J.K. Moore, Ream, Christiaens, O'Hara, McCormick, Eudaily, Fritz, Kadas, O'Connell, Manning. Referred to Committee on Judiciary.

HB 726, introduced by Gould. Referred to Committee on Judiciary.

HB 729, introduced by Schultz, Ernst, B. Williams, Patterson, Simon, (By Request of the Department of Institutions). Referred to Committee on Public Health, Welfare and Safety.

HB 737, introduced by Bergene, Spaeth, Keenan, Kadas, Fritz, Phillips, Miles, Nathe, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Public Health, Welfare and Safety.

HB 738, introduced by Addy, Keyser. Referred to Committee on Public Health, Welfare and Safety.

HB 743, introduced by Miller, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Public Health, Welfare and Safety.

HB 747, introduced by Phillips, Christiaens, J.K. Moore, Miller, Patterson. Referred to Committee on Highways and Transportation.

HB 748, introduced by Kitselman, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Public Health, Welfare and Safety.

HB 758, introduced by Winslow. Referred to Committee on Public Health, Welfare and Safety.

HB 763, introduced by Menahan, Pavlovich, Holliday, Abrams. Referred to Committee on Fish and Game.

HB 764, introduced by Harp, Mercer, Phillips, Eudaily, Jenkins, J. Moore, McCormick, Hanson, Lynch, Peck, Hart, J. Brown, Montayne, Rapp-Svrcek, Cobb, Ream, Grady, Bachini, Hand, Brandewie, Pavlovich, Jacobson, Lybeck, Manning, Lane, Hirsch, Conover. Referred to Committee on Fish and Game.

HB 770, introduced by Ream, Yellowtail, E. Smith, Raney. Referred to Committee on Fish and Game.

HB 774, introduced by Driscoll, Spaeth, Keenan, Bradley, Krueger, Miles, Addy, Quilici. Referred to Committee on State Administration.

HB 775, introduced by Harp, (By Request of the State Auditor). Referred to Committee on State Administration.

HB 778, introduced by Spaeth, C. Smith, Jones, Peterson, Lory, Wallin, Nelson, Harp, Eudaily, Ellerd. Referred to Committee on Labor and Employment Relations.

HB 779, introduced by Connelly, Quilici, Lory, Gage, Keating, (By Request of the Department of Justice). Referred to Committee on State Administration.

HB 781, introduced by Spaeth, Mercer, Harp, Addy. Referred to Committee on Judiciary.

HB 783, introduced by Miles, Vincent, Regan, Harper, J. Hammond, Eck, J. Brown, Connelly, Peck, Bradley, Bergene, Wallin, Mazurek, Fuller, Christiaens, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Public Health, Welfare and Safety.

HB 786, introduced by Nathe, E. Smith. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 788, introduced by Simon, Kitselman, Hannah, Schultz, Garcia, Hager, Winslow, Ramirez, Driscoll, O'Hara, Glaser, Montayne. Referred to Committee on State Administration.

HB 790, introduced by Ramirez. Referred to Committee on Judiciary.

HB 796, introduced by Quilici, Menahan, Donaldson, O'Connell. Referred to Committee on State Administration.

HB 799, introduced by M. Williams, Addy. Referred to Committee on Judiciary.

HB 801, introduced by Jenkins, Compton, Iverson. Referred to Committee on Judiciary.

HB 803, introduced by Peck. Referred to Committee on Judiciary.

HB 807, introduced by Hannah, Keating. Referred to Committee on Public Health, Welfare and Safety.

HB 808, introduced by Ramirez. Referred to Committee on Judiciary.

HB 809, introduced by Fritz, Daniels, (By Request of the Department of Justice). Referred to Committee on Judiciary.

HB 817, introduced by Kitselman, Eck, Jacobson, Winslow, Hager, Kennerly. Referred to Committee on Public Health, Welfare and Safety.

HB 820, introduced by Rapp-Svrcek, Grady, Hart, Vincent, Harrington, Pavlovich, Quilici, Krueger, D. Brown. Referred to Committee on Fish and Game.

HB 837, introduced by Pavlovich. Referred to Committee on Judiciary.

HB 840, introduced by Hanson, E. Smith, Nathe, Abrams, Gilbert. Referred to Committee on Judiciary.

HB 842, introduced by Lory, Donaldson, Quilici, Eudaily, Keating, Connelly, Gage. Referred to Committee on Finance and Claims.

HB 845, introduced by Schye, H. Hammond. Referred to Committee on Taxation.

HB 846, introduced by Schye, Bachini, Peck, Compton, H. Hammond, Iverson, Bardanouve, Cody, Stephens. Referred to Committee on Judiciary.

HB 852, introduced by Harp, Jacobson, Hand, Marks, Asay, Quilici, Crippen, Hirsch, Stimatz, Neuman, Lynch, Keating, O'Connell, Driscoll, Stephens, Regan, Manuel, Menahan, Jones, Pavlovich, Brandewie. Referred to Committee on Business and Industry.

HB 853, introduced by Krueger, Driscoll, Harrington. Referred to Committee on Labor and Employment Relations.

HB 871, introduced by J. Brown, Pistoria, Hand, J. Hammond, Connelly, Mazurek, Fuller, Grady, Harper. Referred to Committee on State Administration.

HB 875, introduced by Ramirez, Phillips. Referred to Committee on State Administration.

HB 889, introduced by M. Williams, Addy, Cobb, Darko, Ramirez, Mercer. Referred to Committee on Judiciary.

HB 894, introduced by Sands, Kitselman, Darko, (By Request of the House Local Government Committee). Referred to Committee on Local Government.

HB 900, introduced by Hart, D. Brown, Gilbert, Poff, (By Request of the House Local Government Committee). Referred to Committee on Local Government.

HJR 26, introduced by Connelly, Spaeth, Kadas, C. Smith, Jones, Lybeck, B. Brown, J. Brown, Pistoria, Kitselman, Miles, Nelson. Referred to Committee on Education and Cultural Resources.

HJR 27, introduced by Nisbet, Cody, Darko, Fritz, Schye, Hirsch, Miller, Keenan, Harper, Peck, J. Moore, Harbin, Kitselman, J. Brown, Harrington, Kadas, D. Brown, Rapp-Svrcek, Zabrocki, Cohen, Mohar, Miles, Abrams, O'Connell, Nathe, Harp, Krueger, Holliday, Pavlovich, Manning, Weeding, Blaylock, Driscoll, Hansen, Ream, Montayne, Campbell, Bachini, Hand, Connelly, B. Williams, Yellowtail, Kennerly, McCallum, B. Brown, Boylan, Towe. Referred to Committee on Natural Resources.

HJR 32, introduced by Switzer, Schultz, Ernst, Devlin, Schye, Cody, Asay, Tveit, E. Smith, Lane, Severson, Weeding, B. Williams, H.

Hammond. Referred to Committee on Agriculture, Livestock and Irrigation.

HJR 33, introduced by Bardanouve. Referred to Committee on State Administration.

HJR 34, introduced by Asay, Keller, Hayne, Wallin, Rapp-Svrcek, Ellison, Cody, Donaldson, Menahan, Holliday, Grady. Referred to Committee on Agriculture, Livestock and Irrigation.

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., March 4, 1985.

Motion carried.

Senate adjourned at 3:30 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

FORTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
March 5, 1985

Senate Chambers
State Capitol

Senate convened at 3:02 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Galt, Stimatz, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the forty-sixth legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 3/5/85
Signed by the President at 11:30 a.m., 3/5/85: HB 70, HB 349.

Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 3/4/85
Recommend that at the beginning of business March 4, 1985, the following be employed:

Bryan Anderson ..... Page
James Moe ..... Page
Tami Robertson ..... Page
Caitlin Hill ..... Page
Marcia Fost ..... Page
Janie Thayer ..... Page
Wendy Hoverson ..... Page
Kelcey Diemert ..... Page
Laurie Anderson ..... Page

Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 3/5/85
HB 43, be concurred in. Report adopted.
HB 72, third reading copy, be amended as follows:

1. Page 2, line 7.
Following: "(1)"
Insert: "(a)"

2. Page 2.
Following: line 9
Strike: "(a)"
Insert: "(i)"

3. Page 2.
Following: line 11
Strike: "(b)"
Insert: "(ii)"

4. Page 2.
Following: line 14
Insert: "(b) A life insurer is not permitted to issue policies containing variable rates of interest on policy loans under subsection (1)(a)(ii) unless the insurer also makes available policies, which may

or may not be on the same plan of insurance, with fixed rates of interest on policy loans under subsection (1)(a)(i)."

5. Page 2, line 16.
Following: "(1)"
Strike: "(b)"
Insert: "(a)(ii)"

6. Page 2, line 24.
Following: "(1)"
Strike: "(b)"
Insert: "(a)(ii)"

And, as amended, be concurred in. Report adopted.

HB 321, be concurred in. Report adopted.

JUDICIARY (Mazurek, Chairman): 3/5/85

HB 276, third reading copy, be amended as follows:

1. Page 4, line 14.
Following: "abuse"
Insert: ", provided notice to the applicant has been given"

And, as amended, be concurred in. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
HB 276

A statement of intent is necessary for this act in order to clarify the type of notice the legislature intends to be given to applicants for public assistance by the department of social and rehabilitation services. It is the intent of the legislature that the notice may be contained in the initial release of confidential information which an applicant signs when applying for public assistance. The notice shall be reasonably simple and specific as to the type of information obtainable.

It is the further intent of the legislature that rules adopted by the department of revenue to implement this act may not be burdensome to the department of social and rehabilitation services in obtaining the information so long as the notice has been given. The department of revenue shall cooperate with the department of social and rehabilitation services in achieving the purpose of this act, which is to allow easy access to information obtainable from other sources in order to reduce fraud in obtaining public assistance.

HB 335, third reading copy, be amended as follows:

1. Page 3, line 9.
Following: "(1)."
Insert: "Provided no such determination or decision under this subsection shall be admissible as evidence in any other civil action, nor shall it be res adjudicata in any other civil action."

And, as amended, be concurred in. Report adopted.

HB 620, third reading copy, be amended as follows:

1. Page 1, lines 15 and 16.
Following: "by" on line 15
Insert: "the"
Following: "court" on line 15
Strike: remainder of line 15 through "12768" on line 16

2. Page 3, line 5.
Following: "2]"
Strike: "may"
Insert: "shall"

And, as amended, be concurred in. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 3/5/85
HJR 8, be concurred in. Report adopted.

TAXATION (Towe, Chairman): 3/5/85
SB 464, do pass. Report adopted.

Adverse Committee Reports

JUDICIARY (Mazurek, Chairman): 3/5/85
HB 164, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Severson, Shaw, Stephens, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 40

Noes: Blaylock, Eck, Lynch, Neuman, Regan, Towe, Yellowtail.
Total 7

Excused: Galt, Stimatz.
Total 2

Absent or not voting: Smith.
Total 1

BUSINESS AND INDUSTRY (Halligan, Chairman): 3/5/85
HB 175, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Mohar.
Total 1

Excused: Galt, Stimatz.
Total 2

Absent or not voting: None.
Total 0

FIRST READING OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 75, introduced by Hannah. Referred to Committee on Local Government.

HB 95, introduced by Ramirez. Referred to Committee on Judiciary.

HB 387, introduced by Addy, (By Request of the Department of Labor and Industry). Referred to Committee on Labor and Employment Relations.

HB 396, introduced by Spaeth, Ramirez, Holliday, Hanson, Boylan, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Natural Resources.

HB 472, introduced by Bradley, J. Brown, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Public Health, Welfare and Safety.

HB 507, introduced by Keyser, Stephens, Wallin, Kolstad. Referred to Committee on Judiciary.

HB 516, introduced by Keyser, Hannah, Rehberg, Schultz, Simon, Marks, Manuel, Holliday, Iverson, Abrams, Cody, Harbin, Grady, Hand. Referred to Committee on Local Government.

HB 520, introduced by Grady, Cobb, Schye, Bachini, Hanson, Campbell, Thoft, Jenkins, Compton, Switzer, Hand, Koehnke, Holliday. Referred to Committee on Judiciary.

HB 529, introduced by Addy. Referred to Committee on Judiciary.

HB 554, introduced by Connelly, Bardanouve, Harp, Asay, Halligan, Kadas, Cohen, Driscoll, Montayne, Glaser, Quilici, C. Smith, Jones, Wallin, Phillips, Brandewie, Addy, Harper. Referred to Committee on Labor and Employment Relations.

HB 567, introduced by Schultz, Simon, Ernst, Hanson, McCormick, Compton, Jenkins, Devlin, Patterson, Iverson, O'Connell, Bachini, Peck, Pistoria, J. Hammond, Garcia, Ream, Glaser, Hansen. Referred to Committee on Business and Industry.

HB 616, introduced by J. Brown, Mazurek, Simon. Referred to Committee on Taxation.

HB 649, introduced by J.K. Moore, Nathe, Bengtson, Thayer, (By Request of the Department of Commerce). Referred to Committee on Public Health, Welfare and Safety.

HB 665, introduced by Keenan, Jacobson, Halligan, Mazurek, Ream, Lory, Fritz, Hansen, Kadas, Bradley. Referred to Committee on Public Health, Welfare and Safety.

HB 676, introduced by Donaldson, Miles, Ream, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Public Health, Welfare and Safety.

HB 686, introduced by Keenan, Miles, Krueger, Addy, J. Moore, J.K. Moore, Darko, Mercer, Bergene, Nathe, Miller, Cobb. Referred to Committee on Public Health, Welfare and Safety.

HB 714, introduced by Spaeth, Ramirez, (By Request of the Department of Administration). Referred to Committee on Judiciary.

HB 716, introduced by Thoft. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 760, introduced by Nathe, Mercer, Cobb, Thomas, Campbell. Referred to Committee on Judiciary.

HB 768, introduced by Bradley, Marks, Miles, Kitselman. Referred to Committee on Local Government.

HB 782, introduced by Menahan, Donaldson, Vincent. Referred to Committee on Legislative Administration.

HB 793, introduced by Keenan, Miles, Quilici, Menahan, Bergene, Darko, Harbin, Raney, J. Moore, Iverson, Schye, Bradley. Referred to Committee on Judiciary.

HB 798, introduced by Miles, Krueger, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Public Health, Welfare and Safety.

HB 815, introduced by Hayne, Devlin, Switzer, Keller, Asay, Compton, Cobb, Holliday, Ellison, Peterson, Jenkins, Grady, J. Moore, Manuel. Referred to Committee on Taxation.

HB 849, introduced by Donaldson, Van Valkenburg, (By Request of the Legislative Finance Committee). Referred to Committee on Education and Cultural Resources.

HB 860, introduced by D. Brown, Marks, Blaylock, J.K. Moore, Iverson, Thoft, Addy, Waldron, Crippen, McCormick, Keenan, Nisbet, Quilici, Regan, Yellowtail, Hannah, Eck, Harper, Tveit, Vincent, Thayer, Shaw, Bardanouve, Krueger, Van Valkenburg, B. Williams, Bradley, Conover, Schye, Cohen, Ream, Miles, Raney, Lory, Pavlovich, Pinsoneault, Winslow, Manning, Abrams, Driscoll, Mazurek, Manuel, E. Smith, Stephens. Referred to Committee on Natural Resources.

HB 864, introduced by Fritz, Hannah, (By Request of the House State Administration Committee). Referred to Committee on State Administration.

HB 877, introduced by Pavlovich, (By Request of the House Committee on Business and Labor). Referred to Committee on Business and Industry.

HB 880, introduced by Pavlovich, (By Request of the House Committee on Business and Labor). Referred to Committee on Business and Industry.

HB 883, introduced by Kadas. Referred to Committee on Local Government.

HB 884, introduced by Driscoll, (By Request of the House Taxation Committee). Referred to Committee on Taxation.

HB 890, introduced by Menahan, Pavlovich, Harp, Pistoria, McCormick, Schye. Referred to Committee on Local Government.

HB 893, introduced by Quilici, Lory, Connelly, Bardanouve, (By Request of the House Appropriations Committee). Referred to Committee on State Administration.

HB 895, introduced by Pavlovich, (By Request of the House Committee on Business and Labor). Referred to Committee on Business and Industry.

HB 896, introduced by Iverson. Referred to Committee on Public Health, Welfare and Safety.

HB 901, introduced by D. Brown. Referred to Committee on Business and Industry.

HB 910, introduced by Menahan, Keyser, Blaylock, (By Request of the Committee on Legislative Administration). Referred to Committee on Legislative Administration.

HB 911, introduced by Hannah, D. Brown, (By Request of the House Judiciary Committee). Referred to Committee on Judiciary.

HB 921, introduced by Thoft, Ernst, Schultz, B. Williams, Van Valkenburg, (By Request of the House Appropriations Committee). Referred to Committee on State Administration.

HB 923, introduced by Marks, Vincent. Referred to Committee on Legislative Administration.

HB 924, introduced by Bardanouve, (By Request of the Department of Revenue). Referred to Committee on Taxation.

HJR 9, introduced by Waldron. Referred to Committee on Taxation.

HJR 24, introduced by Raney, Nathe, Devlin, Miles, Cohen, Krueger, Cody, Blaylock, Daniels, Donaldson, Regan, Eck, Haffey, Keyser, Harbin, Montayne, Darko, Rehberg, J. Moore, Kadas, Cobb, Bardanouve, Asay, Manning, Mohar, Bengtson, B. Williams, Stimatz, Driscoll, Lane, Weeding, Yellowtail, Schye, Harper, Harp, Ream, Conover, Keller, Abrams, Holliday. Referred to Committee on Judiciary.

HJR 35, introduced by D. Brown, Krueger, Nisbet, Pavlovich, Fritz, Hannah, Spaeth, Driscoll, Garcia, Harrington, Quilici, Kitselman, Rehberg, Addy, Iverson, Bengtson, Keenan, Menahan, Winslow, Simon, Miles, Lynch, Ramirez, Marks, Vincent, Jacobson, Cohen, Glaser, Sands, Stimatz, Towe. Referred to Committee on Natural Resources.

HJR 37, introduced by Hannah, D. Brown, (By Request of the House Judiciary Committee). Referred to Committee on Judiciary.

HJR 38, introduced by Bachini, Pavlovich, Nisbet, Driscoll, Connelly, Hart, Howe, Kadas, McCormick, J. Brown, Kolstad, Hansen, Brandewie, Harp, Jenkins, Compton, Iverson, Peck, Stephens, Jones, C. Smith, Bardanouve, B. Brown, Blaylock, Story, (By Request of the House Committee on Business and Labor). Referred to Committee on Business and Industry.

SPECIAL ORDERS OF THE DAY

Superintendent of Public Instruction, Ed Argenbright, presented Donald Neu of Flathead County High School the 1985 State Teacher of the Year Award.

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., March 6, 1985.

Motion carried.

Senate adjourned at 3:24 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

FORTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
March 6, 1985

Senate Chambers
State Capitol

Senate convened at 3:00 p.m., President Pro Tempore Blaylock presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Lybeck, Norman, Stimatz, excused. Quorum present.

Mr. President Pro Tempore: We, your Committee on Bills and Journal, having examined the daily journal for the forty-seventh legislative day, find the same to be correct.

Manning, Chairman

SPECIAL ORDERS OF THE DAY

The Bridger Childrens' Choir of Bozeman sang for the Senate.

At the request of the President Pro Tempore, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 3/6/85
Correctly printed and placed on the members' desks: SB 464.
Correctly enrolled: SB 122.
Examined by the sponsor (Jacobson) and found to be correct: SB 122.
Signed by the President Pro Tempore at 12:00 p.m., 3/6/85: SB 122.
Delivered to the Governor for his approval at 2:50 p.m., 3/6/85: SB 122.

Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 3/6/85
HB 215, third reading copy, be amended as follows:

1. Page 2, line 1.
Following: "days"
Insert: "per display period"

And, as amended, be concurred in. Report adopted.

JUDICIARY (Mazurek, Chairman): 3/6/85
HB 210, be concurred in. Report adopted.
HB 246, be concurred in. Report adopted.
HB 390, be concurred in. Report adopted.
HB 600, third reading copy, be amended as follows:

1. Page 3, line 4.
Following: "or"
Insert: "a similar statute in"

2. Page 4, line 22.
Following: "or"
Insert: "a similar statute in"

And, as amended, be concurred in. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Lynch, Chairman): 3/5/85
HB 213, be concurred in. Report adopted.
HB 251, be concurred in. Report adopted.
HB 306, be concurred in. Report adopted.

LOCAL GOVERNMENT (Fuller, Chairman): 3/5/85

HB 8, third reading copy, be amended as follows:

1. Title, line 7.
Following: "7-3-1219,"
Insert: "7-4-2105,"

2. Page 4.
Following: line 11
Insert: "Section 4. Section 7-4-2105, MCA, is amended to read:

"7-4-2105. Term of office. The term of office of county commissioners is 6 years. A county commissioner takes office on the first Monday of January succeeding the date of the election at which the county commissioner was elected.""
Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

HB 104, be concurred in. Report adopted.
HB 125, be concurred in. Report adopted.
HB 128, be concurred in. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 3/6/85

HB 98, be concurred in. Report adopted.
HB 134, be concurred in. Report adopted.
HB 139, be concurred in. Report adopted.
HJR 2, be concurred in. Report adopted.

TAXATION (Towe, Chairman): 3/6/85

SB 67, introduced bill, be amended as follows:

1. Title, line 4.
Strike: "EXEMPTING ALL"
Insert: "CLARIFYING THE TAXATION OF"

2. Title, line 6.
Following: "DWELLINGS"
Strike: "ON AGRICULTURAL LAND AND ALL"
Insert: "; EXEMPTING CERTAIN"

3. Title.
Following: line 7
Insert: "AMENDING SECTION 15-23-611, MCA;"

4. Page 1, lines 12 and 13.
Following: "systems" on line 12
Strike: "on agricultural land exempt"

5. Page 1, lines 14 through 16.
Following: "dwellings" on line 14
Strike: through "taxation" on line 16
Insert: "may not be appraised, assessed, and taxed separately from the land in which they are located"

6. Page 1, line 18.
Following: "."
Strike: "All down-hole"
Insert: "Down-hole"

7. Page 1, line 19.
Following: "taxation"
Insert: "as provided in 15-23-611"

8. Page 1.
Following: line 19
Insert: "Section 3. Section 15-23-611, MCA, is amended to read:

"15-23-611. Surface ground and improvements not exempt — down-hole equipment exempt. (1) Nothing in this part must be construed so as to exempt from taxation the surface ground, improvements, buildings, erections, structures, or machinery placed upon any ~~mine~~ oil or gas well or supplies used in connection therewith.

(2) Down-hole equipment in oil or gas wells constituting casing installed in the ground and machinery installed below ground in the casing of a producing oil or gas well, except that machinery which has a salvage value upon extraction from the casing, is not considered to have a value separate and independent of the well and is exempt.""
Renumber: subsequent sections
Insert: "NEW SECTION." appropriately before sections 1 and 2 and 4 through 6

9. Page 1, lines 24 and 25.
Following: "instruction." on line 24
Strike: "Sections 1 and 2 are"
Insert: "Section 1 is"

10. Page 2, line 1.
Following: "chapter"
Strike: "6"
Insert: "7"
Following: "to"
Strike: "sections"
Insert: "section"

11. Page 2, line 2.
Following: "1"
Strike: "and 2"
Following: "."
Insert: "Section 2 is intended to be codified as an integral part of Title 15, chapter 6, and the provisions of Title 15 apply to section 2."

12. Page 2, line 5.
Strike: "1984"
Insert: "1985"

And, as amended, do pass. Report adopted.

Senator Neuman excused at this time.

Adverse Committee Reports

BUSINESS AND INDUSTRY (Halligan, Chairman): 3/6/85
HB 221, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Stephens, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 39

Noes: Eck, Hager, Halligan, Lynch, Smith, Towe.
Total 6

Excused: Lybeck, Neuman, Stimatz, Mr. President.
Total 4

Absent or not voting: Jacobson.
Total 1

EDUCATION AND CULTURAL RESOURCES (Blaylock, Chairman):
3/6/85

HB 111, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Fuller, Gage, Galt, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Lane, Mazurek, Mohar, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail.
Total 34

Noes: Boylan, Daniels, Farrell, Goodover, Haffey, Keating, Kolstad, Lynch, Manning, Pinsoneault, Williams.
Total 11

Excused: Lybeck, Neuman, Stimatz, Mr. President.
Total 4

Absent or not voting: McCallum.
Total 1

MOTIONS

Senator Crippen moved that consideration on HB 72, on second reading this legislative day, be passed until the 50th legislative day, 3/8/85. Motion carried unanimously.

Senator Van Valkenburg moved that HB 778 be taken from the Committee on Labor and Employment Relations and that it be rereferred to the Committee on Judiciary. Motion carried unanimously.

Senator Jacobson moved that HB 627 be taken from the Committee on Judiciary and that it be rereferred to the Committee on Public Health, Welfare and Safety. Motion carried unanimously.

FIRST READING OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SJR 31, introduced by Christiaens, Mazurek, Towe, Kitselman, Hirsch, Hart, Quilici, Pinsoneault, Pistoria, Schye, Mercer, Asay, McCallum, Severson, Rehberg, Crippen, Krueger, Abrams, Wallin, Lybeck, Grady, Harper, Hager, Thayer, Hand, Hannah, Lane, Conover. Referred to Committee on Judiciary.

The following House bills were introduced, read first time, and referred to committees:

HB 489, introduced by Waldron, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Public Health, Welfare and Safety.

HB 493, introduced by Ramirez, Pavlovich, Holliday, Thoft, Donaldson, Abrams, Boylan, Ellerd, Gage. Referred to Committee on Taxation.

HB 494, introduced by Ramirez, Pavlovich, Holliday, Thoft, Donaldson, Abrams, Boylan, Ellerd, Gage. Referred to Committee on Taxation.

HB 495, introduced by Ramirez, Pavlovich, Holliday, Thoft, Donaldson, Abrams, Boylan, Ellerd, Gage. Referred to Committee on Taxation.

HB 571, introduced by Bergene, Keating, Christiaens. Referred to Committee on Public Health, Welfare and Safety.

HB 638, introduced by Iverson, D. Brown, (By Request of the Department of State Lands). Referred to Committee on Natural Resources.

HB 750, introduced by Bardanouve, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Natural Resources.

HB 766, introduced by Ream, Halligan, B. Williams, Mohar, Darko, Garcia, Krueger, Eck, Regan, Addy, Lynch, Bradley, Stimatz, Jacobson, Keenan, Shaw, Harper, Cohen, D. Brown, Iverson, Raney, Cobb, Lory, Kadas, Harrington, Harp, Tveit, Connelly, Fritz, Miles, Driscoll, J. Moore, Grady, (By Request of the Governor). Referred to Committee on Public Health, Welfare and Safety.

HB 791, introduced by Brandewie. Referred to Committee on Local Government.

HB 859, introduced by Ramirez, Hand. Referred to Committee on Natural Resources.

HB 885, introduced by Sales, (By Request of the Lieutenant Governor). Referred to Committee on Local Government.

HB 891, introduced by Addy, Donaldson, Schye, Hirsch, Hanson, Spaeth, Grady, Poff, Cobb, Holliday, Patterson, Krueger, Koehnke, Yellowtail. Referred to Committee on Judiciary.

HB 912, introduced by D. Brown, Lory, Ellison, Iverson, Marks, Eck, (By Request of the Environmental Quality Council). Referred to Committee on Natural Resources.

HB 913, introduced by D. Brown, Krueger, Marks, Iverson, Pavlovich, Harrington, Menahan, Keenan, Lory, Cohen. Referred to Committee on Natural Resources.

HJR 13, introduced by Winslow, D. Brown, Schultz, Simon, Rehberg, Patterson, Mercer, Marks, Swift, Thomas, Nathe, Donaldson. Referred to Committee on Business and Industry.

HJR 39, introduced by Menahan, Raney, Rapp-Svrcek, Harper, Hart, Addy, Holliday, Montayne, Driscoll, Fritz, Howe, Zabrocki, Spaeth, Hansen, Kadas, Harp, Vincent, Waldron, Connelly, Bradley, Koehnke. Referred to Committee on Business and Industry.

Senator Neuman present at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Hirsch in the Chair.

Mr. President Pro Tempore: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 43 - That HB 43 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum,

Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 47

Noes: None.
Total 0

Excused: Lybeck, Stimatz, Mr. President.
Total 3

Absent or not voting: None.
Total 0

HB 276 - That HB 276 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 47

Noes: None.
Total 0

Excused: Lybeck, Stimatz, Mr. President.
Total 3

Absent or not voting: None.

HB 321 - That HB 321 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 47

Noes: None.
Total 0

Excused: Lybeck, Stimatz, Mr. President.
Total 3

Absent or not voting: None.

Senator Lybeck present at this time.

HB 335 - That HB 335 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 48

Noes: None.
Total 0

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: None.
Total 0

HB 620 - That HB 620 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 47

Noes: Galt.
Total 1

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President Pro Tempore in the Chair. Chairman Hirsch moved the adoption of the committee report. Report adopted.

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., March 7, 1985.

Motion carried.

Senate adjourned at 3:46 p.m.

CHET BLAYLOCK
President Pro Tempore of the Senate

BONNIE WALLEM
Secretary of the Senate

FORTY-NINTH LEGISLATIVE DAY

Helena, Montana
March 7, 1985

Senate Chambers
State Capitol

Senate convened at 3:00 p.m., President Pro Tempore Blaylock presiding. Invocation by the Chaplain, Pastor Monsen. Pledge of Allegiance to the Flag.

Roll call. All members present except Hager, Norman, Stimatz, excused. Quorum present.

Mr. President Pro Tempore: We, your Committee on Bills and Journal, having examined the daily journal for the forty-eighth legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 3/7/85
Correctly printed and placed on the members' desks: SB 67.

Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 3/7/85
HB 184, third reading copy, be amended as follows:

1. Page 1.
Following: line 22
Strike: "PRIZES"
Insert: "A prize"

2. Page 1, line 25.
Following: "MACHINE."
Strike: "THEY"
Insert: "A prize"

And, as amended, be concurred in. Report adopted.

HB 266, be concurred in. Report adopted.
HB 568, be concurred in. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Blaylock, Chairman): 3/6/85
HB 298, third reading copy, be amended as follows:

1. Page 3, line 9.
Following: "may"
Strike: "on a one-time basis"

2. Page 3, lines 15 and 16.
Following: "and" on line 15
Strike: remainder of line 15 through "that" on line 16

And, as amended, be concurred in. Report adopted.

HB 412, third reading copy, be amended as follows:

1. Page 2, line 2.
Following: "~~Emotionally~~"
Strike: "Seriously emotionally"
Insert: "Emotionally"

2. Page 2, line 16.

Following: "is"
Strike: "seriously"

3. Page 3, line 22.
Following: "~~specified~~"
Insert: "A child who is 5 years of age or younger may be identified as handicapped without the handicapping condition being specified."

And, as amended, be concurred in. Report adopted.

JUDICIARY (Mazurek, Chairman): 3/7/85

HB 293, third reading copy, be amended as follows:

1. Page 1, line 20.
Following: "LIEN"
Insert: "authorized under Title 71, chapter 3,"

And, as amended, be concurred in. Report adopted.

HB 329, third reading copy, be amended as follows:

1. Title, lines 8 through 10.
Following: "~~OWNER,~~" on line 8
Strike: remainder of line 8 through line 10 in their entirety

2. Page 3, lines 11 through 14.
Strike: subsection (3) in its entirety

And, as amended, be concurred in. Report adopted.

HB 522, third reading copy, be amended as follows:

1. Page 5, line 5.
Following: "if"
Insert: ": (a)"

2. Page 5, line 7.
Following: "transportation"
Strike: "and"
Insert: "; or (b)"

And, as amended, be concurred in. Report adopted.

HB 639, third reading copy, be amended as follows:

1. Title, lines 6 and 7.
Following: "TRAINING;" on line 6
Strike: remainder of line 6 through "APPLICANTS;" on line 7

2. Title, line 12.
Following: "37-62-101"
Strike: ", 37-62-202,"

3. Page 2, line 20.
Strike: section 2 in its entirety
Renumber: subsequent sections

4. Page 3, line 7.
Following: "~~and~~"
Insert: "and"

5. Page 3, lines 13 through 17.
Following: "license" on line 13
Strike: remainder of line 13 through "department" on line 17

6. Page 6, line 24.

Strike: "4"
Insert: "3"
Strike: "5"
Insert: "4"

7. Page 7, line 1.
Strike: "4"
Insert: "3"
Strike: "5"
Insert: "4"

And, as amended, be concurred in. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Lynch, Chairman): 3/7/85
HB 428, be concurred in. Report adopted.
HB 715, be concurred in. Report adopted.

NATURAL RESOURCES (Eck, Chairman): 3/6/85
HB 96, be concurred in. Report adopted.
HB 178, be concurred in. Report adopted.
HB 232, be concurred in. Report adopted.
HB 258, be concurred in. Report adopted.
HB 336, be concurred in. Report adopted.
HB 372, be concurred in. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman): 3/6/85
HB 169, be concurred in. Report adopted.
HB 180, be concurred in. Report adopted.
HB 182, be concurred in. Report adopted.
HB 189, be concurred in. Report adopted.
HB 202, be concurred in. Report adopted.
HB 474, third reading copy, be amended as follows:

1. Title, lines 13 and 14.
Following: "MCA" on line 13
Strike: remainder of line 13 through "DATE" on line 14

2. Page 1, line 19.
Following: "applicants."
Insert: "(1)"

3. Page 1.
Following: line 24
Insert: "(2)"

4. Page 2, line 1.
Strike: "(1)"
Insert: "(a)"

5. Page 2.
Following: line 1
Strike: "(2)"
Insert: "(b)"

6. Page 2.
Following: line 8
Strike: "(3)"
Insert: "(c)"

7. Page 2, line 10.
Following: "EQUIVALENT"
Strike: "2 years"

Following: "subsection (2)"
Insert: "(b)"

8. Page 2, line 13.
Strike: "(4)"
Insert: "(d)"

9. Page 2, lines 13 through 15.
Following: "board;" on line 13
Strike: remainder of line 13 through "board." on line 15
Insert: "; and"

10. Page 2.
Following: line 15
Strike: "(5)"
Insert: "(e)"

11. Page 2.
Following: line 18
Strike: "(4)"
Insert: "(2)(d)"

12. Page 2.
Following: line 19
Insert: "(3) A person who fails the examination required in subsection (2)(d) may retake it under conditions prescribed by rule of the board."

13. Page 5, lines 5 and 6.
Strike: section 6 in its entirety

And, as amended, be concurred in. Report adopted.

HB 595, be concurred in. Report adopted.
HB 605, be concurred in. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 3/7/85
HB 150, be concurred in. Report adopted.
HB 153, be concurred in. Report adopted.
HB 163, be concurred in. Report adopted.
HB 197, be concurred in. Report adopted.

Adverse Committee Reports

JUDICIARY (Mazurek, Chairman): 3/7/85
HB 264, third reading copy, be amended as follows:

1. Page 2.
Following: line 4
Insert: "(3) This section does not supersede any contractual payment procedure agreed to by the contractor and the supplier or subcontractor."

And, as amended, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 41

Noes: Goodover, Lynch, Manning, McCallum, Smith.
Total 5

Excused: Hager, Stimatz, Mr. President.
Total 3

Absent or not voting: Daniels.
Total 1

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bill concurred in and returned to the Senate: 3/6/85

SB 18, introduced by Mazurek

MOTIONS

Senator Jacobson moved that HB 711 be taken from the Committee on Public Health, Welfare and Safety and that it be rereferred to the Committee on Natural Resources. Motion carried unanimously.

SPECIAL ORDERS OF THE DAY

Former Senator Ben Stein spoke on the art history of the Senate Chambers.

At the request of the President Pro Tempore, and without objection, the Senate reverted to Order of Business No. 8.

Senator Hager present at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Tveit in the Chair.

Mr. President Pro Tempore: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 464 - That SB 464 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 48

Noes: None.
Total 0

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: None.
Total 0

HB 98 - That HB 98 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch,

Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 48

Noes: None.
Total 0

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: None.
Total 0

HB 104 - That HB 104 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 48

Noes: None.
Total 0

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: None.
Total 0

HB 125 - That HB 125 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 48

Noes: None.
Total 0

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: None.
Total 0

HB 128 - That HB 128 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.

Total 48

Noes: None.
Total 0

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: None.
Total 0

HB 134 - That HB 134 be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Stephens, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 36

Noes: Aklestad, Gage, Galt, Goodover, Hammond, Lane, Neuman, Regan, Severson, Shaw, Smith, Tveit.
Total 12

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: None.
Total 0

HB 139 - That HB 139 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 48

Noes: None.
Total 0

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: None.
Total 0

HB 210 - That HB 210 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 48

Noes: None.
Total 0

Excused: Stimatz, Mr. President.

Total 2

Absent or not voting: None.
Total 0

HB 213 - That HB 213 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 48

Noes: None.
Total 0

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: None.
Total 0

HB 246 - That HB 246 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 48

Noes: None.
Total 0

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: None.
Total 0

HB 251 - That HB 251 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 48

Noes: None.
Total 0

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: None.
Total 0

HB 306 - That HB 306 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Daniels, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Himsl, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Severson, Shaw, Story, Thayer, Towe, Weeding, Williams.
Total 32

Noes: Christiaens, Crippen, Eck, Farrell, Harding, Hirsch, Kolstad, Mazurek, Neuman, Pinsoneault, Regan, Smith, Stephens, Tveit, Van Valkenburg, Yellowtail.
Total 16

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: None.
Total 0

HB 390 - That HB 390 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 48

Noes: None.
Total 0

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: None.
Total 0

HJR 2 - That HJR 2 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 48

Noes: None.
Total 0

Excused: Stimatz, Mr. President.
Total 2

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President Pro Tempore in the Chair. Chairman Tveit moved the adoption of the committee report. Report adopted.

At the request of Senator Mazurek, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Mazurek moved that HB 329 be taken from printing and that it be rereferred to the Committee on Judiciary. Motion carried unanimously.

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., March 8, 1985.

Motion carried.

Senate adjourned at 4:32 p.m.

CHET BLAYLOCK
President Pro Tempore of the Senate

BONNIE WALLEM
Secretary of the Senate

FIFTIETH LEGISLATIVE DAY

Helena, Montana
March 8, 1985

Senate Chambers
State Capitol

Senate convened at 3:00 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the forty-ninth legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (Haffey, Chairman): 3/5/85

The Governor's appointment of ELLEN FEAVER, of Helena, Montana, as Director of Administration, to serve at the pleasure of the Governor.

Respectfully report as follows: That said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

The Governor's appointment of KEITH KELLY, of Helena, Montana, as Director of Agriculture, to serve at the pleasure of the Governor.

Respectfully report as follows: That said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

The Governor's appointment of KEITH L. COLBO, of Helena, Montana, as Director of Commerce, to serve at the pleasure of the Governor.

Respectfully report as follows: That said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

The Governor's appointment of JAMES W. FLYNN, of Helena, Montana, as Director of Fish, Wildlife, and Parks, to serve at the pleasure of the Governor.

Respectfully report as follows: That said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

The Governor's appointment of JOHN J. DRYNAN, M.D., of Helena, Montana, as Director of Health and Environmental Sciences, to serve at the pleasure of the Governor.

Respectfully report as follows: That said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

The Governor's appointment of GARY WICKS, of Helena, Montana, as Director of Highways, to serve at the pleasure of the Governor.

Respectfully report as follows: That said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

The Governor's appointment of CARROLL V. SOUTH, of Helena, Montana, as Director of Institutions, to serve at the pleasure of the Governor.

Respectfully report as follows: That said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

The Governor's appointment of DAVID E. WANZENRIED, of Helena, Montana, as Commissioner of Labor and Industry, to serve at the pleasure of the Governor.

Respectfully report as follows: That said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

The Governor's appointment of GENERAL JAMES W. DUFFY, of Helena, Montana, as Adjutant General of Military Affairs, to serve at the pleasure of the Governor.

Respectfully report as follows: That said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

The Governor's appointment of LARRY FASBENDER, of Helena, Montana, as Director of Natural Resources and Conservation, to serve at the pleasure of the Governor.

Respectfully report as follows: That said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

The Governor's appointment of JOHN D. LAFAVER, of Helena, Montana, as Director of Revenue, to serve at the pleasure of the Governor.

Respectfully report as follows: That said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

The Governor's appointment of DAVID M. LEWIS, of Helena, Montana, as Director of Social and Rehabilitation Services, to serve at the pleasure of the Governor.

Respectfully report as follows: That said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

The Governor's appointment of DENNIS HEMMER, of Helena, Montana, as Commissioner of State Lands, to serve at the pleasure of the Governor.

Respectfully report as follows: That said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

The Governor's appointment of MORRIS BRUSETT, of Helena, Montana, as a member of the Pacific Northwest Electric Power and Conservation Planning Council, to serve at the pleasure of the Governor.

Respectfully report as follows: That said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

The Governor's appointment of GERALD MUELLER, of Helena, Montana, as a member of the Pacific Northwest Electric Power and Conservation Planning Council, to serve at the pleasure of the Governor.

Respectfully report as follows: That said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

The Governor's appointment of GARY L. BLEWETT, of Helena, Montana, as administrator of the Workers' Compensation Division of the Department of Labor and Industry, to serve at the pleasure of the Governor.

Respectfully report as follows: That said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

BILLS (Manning, Chairman): 3/8/85
Considered correctly engrossed: SB 464.

Report adopted.

COMMITTEES (Jacobson, Chairman): 3/8/85

Hereby appoint to the Environmental Quality Council: James Shaw, Larry Tveit, Mike Halligan, Dorothy Eck.

Hereby appoint to the Legislative Council: Jack Galt, Allen Kolstad, J.D. Lynch, M.K. Daniels.

Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 3/8/85
HB 85, be concurred in. Report adopted.
HB 268, be concurred in. Report adopted.

FISH AND GAME (Conover, Chairman): 3/7/85
HB 159, be concurred in. Report adopted.
HJR 1, be concurred in. Report adopted.

LOCAL GOVERNMENT (Fuller, Chairman): 3/7/85

HB 166, be concurred in. Report adopted.

HB 196, be concurred in. Report adopted.

HB 333, third reading copy, be amended as follows:

1. Title, lines 5 and 6.
Following: "PEACE" on line 5
Strike: remainder of line 5 through "COMMISSIONERS," on line 6

2. Page 2, lines 1 through 8.
Following: "~~return~~"
Strike: remainder of line 1 through "PERSON." on line 8
Insert: "call in another justice, if there is one readily available, or a city judge or some other qualified person to hold court for the absent justice until his return."

3. Page 2, lines 19 and 20.
Strike: subsection (5) in its entirety

And, as amended, be concurred in. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 3/8/85

HB 146, third reading copy, be amended as follows:

1. Title, line 11.
Following: "~~INFORMALLY~~;"
Insert: "REMOVING THE LIMITATION ON PROCUREMENT OF CONSTRUCTION PROJECTS BY THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS;"

2. Title, line 12.
Following: "MCA;"
Insert: "REPEALING SECTION 87-1-211, MCA;"

3. Page 4.
Following: line 2
Insert: "NEW SECTION. Section 2. Repealer. Section 87-1-211, MCA, is repealed."
Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

HB 216, third reading copy, be amended as follows:

1. Title, line 5.
Following: "CLARIFY"
Insert: "AND REVISE"

2. Title, line 6.
Following: "BID"
Insert: "AND CONTRACT PERFORMANCE"

3. Page 2, line 24.
Following: "contract"
Insert: "performance"

And, as amended, be concurred in. Report adopted.

HB 217, be concurred in. Report adopted.

HB 260, third reading copy, be amended as follows:

1. Page 3, line 16.
Following: "Title"
Strike: "VI"

Insert: "VII"

And, as amended, be concurred in. Report adopted.

TAXATION (Towe, Chairman): 3/8/85
SB 280, do pass. Report adopted.
SB 400, introduced bill, be amended as follows:

1. Title, line 10.
Following: "LIMITING"
Insert: "AND APPORTIONING"

2. Page 6.
Following: line 3
Strike: "and (4)"
Insert: "through (5)"

3. Page 8.
Following: line 11
Insert: "(5) No alcohol distributor may receive tax incentive payments under subsection (2) that exceed $1,300,000 in any consecutive 12-month period beginning April 1, 1985, except as follows. If total tax incentive payments to all eligible alcohol distributors in any consecutive 12-month period beginning April 1, 1985, do not reach the percentage of production maximums in subsection (3) or the maximum dollar amount in subsection (4), an alcohol distributor who has received the maximum payment of $1,300,000 as herein provided may receive additional tax incentive payments subject to the percentage of production maximums in subsection (3) or the maximum dollar amount in subsection (4)."

And, as amended, do pass. Report adopted.

Adverse Committee Reports

TAXATION (Towe, Chairman): 3/8/85
SB 386, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Bengtson, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Goodover, Haffey, Halligan, Himsl, Hirsch, Jacobson, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Shaw, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Mr. President.
Total 31

Noes: Anderson, Boylan, Crippen, Gage, Galt, Hager, Hammond, Harding, Keating, Kolstad, Lane, Lybeck, McCallum, Severson, Smith, Stephens, Tveit, Yellowtail.
Total 18

Excused: None.
Total 0

Absent or not voting: Blaylock.
Total 1

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bill passed and transmitted to the Senate for concurrence: 3/7/85

HB 565, introduced by Fritz, et al.

Senate bill not concurred in and returned to the Senate: 3/8/85

SB 100, introduced by Daniels, et al.

MOTIONS

Senator Smith moved that the Senate reconsider its action in adopting the adverse committee report on SB 386 and that it be printed and placed on second reading. Motion carried unanimously.

Senator Smith moved that SB 386 be rereferred to the Committee on Taxation. Motion carried unanimously.

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SJR 32, introduced by B. Brown, Schye. Referred to Committee on Education and Cultural Resources.
SJR 33, introduced by Mohar, Boylan, Bengtson, Farrell, Harding, Manning, Anderson, Conover. Referred to Committee on State Administration.
SB 465, introduced by Van Valkenburg. Referred to Committee on Taxation.

Senators Blaylock and Shaw excused at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 43 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Blaylock, Shaw.
Total 2

Absent or not voting: None.
Total 0

HB 276 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Blaylock, Shaw.

Total 2

Absent or not voting: None.
Total 0

HB 321 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Blaylock, Shaw.
Total 2

Absent or not voting: None.
Total 0

HB 335 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Blaylock, Shaw.
Total 2

Absent or not voting: None.
Total 0

HB 620 concurred in as follows:

Ayes: Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 37

Noes: Aklestad, Daniels, Farrell, Galt, Hammond, Keating, Kolstad, Mohar, Smith, Thayer, Tveit.
Total 11

Excused: Blaylock, Shaw.
Total 2

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Fuller in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Senators Blaylock and Shaw present at this time.

Senator Stimatz excused at this time.

SB 67 - That SB 67, second reading copy, be amended as follows:

1. Title.
Following: line 7
Strike: "CLARIFYING THE TAXATION OF"
Insert: "EXEMPTING ALL"

2. Title, line 10.
Following: "~~ALL~~"
Strike: "; EXEMPTING CERTAIN"
Insert: "ON AGRICULTURAL LAND AND ALL"

3. Title, line 12.
Following: "TAXATION;"
Strike: "AMENDING SECTION 15-23-611, MCA;"

4. Page 1, line 17.
Following: "~~exempt~~"
Insert: "on agricultural land exempt"

5. Page 1, lines 20 through 22.
Following: "~~taxation~~" on line 20
Strike: remainder of line 20 through "LOCATED" on line 22
Insert: "and any related improvements on agricultural land are exempt from taxation"

6. Page 1, line 24.
Following: "~~All down-hole~~"
Strike: "DOWN-HOLE"
Insert: "All down-hole"

7. Page 1, line 25 through line 1, page 2.
Following: "taxation" on line 25
Strike: remainder of line 25 through "15-23-611" on line 1

8. Page 2.
Following: line 1
Strike: section 3 in its entirety
Renumber: subsequent sections
Strike: "NEW SECTION." appropriately before sections 1 and 2 and 3 through 5

9. Page 2, line 20.
Following: "~~are~~"
Strike: "SECTION 1 IS"
Insert: "Sections 1 and 2 are"

10. Page 2, line 21.
Following: "~~6~~"
Strike: "7"
Insert: "6"

11. Page 2, line 22.
Following: "~~sections~~"
Strike: "SECTION"
Insert: "sections"
Following: "~~and 2~~"
Insert: "and 2"

12. Page 2.
Following: line 22
Strike: lines 23 through 25 in their entirety

13. Page 3, line 4.
Following: "~~1984~~"
Strike: "1985"
Insert: "1984"

Senator Bengtson excused at this time.

Amendment passed as follows:

Ayes: Aklestad, Anderson, Boylan, Brown, Conover, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, Lane, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Weeding, Williams.
Total 27

Noes: Blaylock, Christiaens, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Towe, Van Valkenburg, Yellowtail, Mr. President.
Total 21

Excused: Bengtson, Stimatz.
Total 2

Absent or not voting: None.
Total 0

Senator Blaylock excused at this time.

Senator Regan moved that consideration on SB 67 be passed. Motion failed as follows:

Ayes: Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Towe, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 23

Noes: Aklestad, Anderson, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 23

Excused: Bengtson, Blaylock, Stimatz.
Total 3

Absent or not voting: Mr. President.
Total 1

Senator Bengtson present at this time.

That SB 67, second reading copy, be further amended as follows:

1. Amendment No. 2.
Strike: "ON AGRICULTURAL LAND"

2. Amendments No. 4 and 5.
Strike: "on agricultural land"

Amendment passed as follows:

Ayes: Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 42

Noes: Aklestad, Eck, Hammond, Thayer, Van Valkenburg.
Total 5

Excused: Blaylock, Stimatz.
Total 2

Absent or not voting: Hager.
Total 1

That SB 67, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Conover, Crippen, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Keating, Kolstad, Lane, Lynch, Manning, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Weeding, Williams.
Total 33

Noes: Christiaens, Daniels, Eck, Hirsch, Jacobson, Lybeck, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Towe, Van Valkenburg, Yellowtail, Mr. President.
Total 15

Excused: Blaylock, Stimatz.
Total 2

Absent or not voting: None.
Total 0

Senator Blaylock present at this time.

HB 8 - That HB 8 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Stimatz.
Total 1

Absent or not voting: None.
Total 0

HB 72 - That HB 72 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Mazurek, McCallum, Mohar, Pinsoneault, Severson, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 35

Noes: Blaylock, Christiaens, Conover, Goodover, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Neuman, Regan, Shaw.
Total 13

Excused: Stimatz.
Total 1

Absent or not voting: Mr. President.
Total 1

HB 169 - That HB 169 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Stimatz.
Total 1

Absent or not voting: None.
Total 0

HB 182 - That HB 182 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Stimatz.
Total 1

Absent or not voting: None.
Total 0

HB 215 - That HB 215 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Stimatz.
Total 1

Absent or not voting: None.
Total 0

HB 232 - That HB 232 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Stimatz.
Total 1

Absent or not voting: None.
Total 0

HB 258 - That HB 258 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Stimatz.
Total 1

Absent or not voting: None.
Total 0

HB 266 - That HB 266 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek,

McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Stimatz.
Total 1

Absent or not voting: None.
Total 0

HB 336 - That HB 336 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Stimatz.
Total 1

Absent or not voting: None.
Total 0

HB 372 - That HB 372 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Stimatz.
Total 1

Absent or not voting: None.
Total 0

HB 428 - That HB 428 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Stimatz.
Total 1

Absent or not voting: None.
Total 0

HB 595 - That HB 595 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Stimatz.
Total 1

Absent or not voting: None.
Total 0

HB 600 - That HB 600 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Neuman.
Total 1

Excused: Stimatz.
Total 1

Absent or not voting: None.
Total 0

HB 715 - That HB 715 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Stimatz.

Total 1

Absent or not voting: None.
Total 0

HJR 8 - That HJR 8 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Stimatz.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair.

SB 67 - Senator Towe moved that SB 67 be segregated from the Committee of the Whole Report. Motion carried unanimously.

Chairman Fuller moved the adoption of the committee report, as amended. Report adopted.

At the request of Senator Mazurek, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Mazurek moved that the Senate reconsider its action in adopting the adverse committee report on HB 264 and that it be printed and placed on second reading. Motion failed as follows:

Ayes: Bengtson, Boylan, Christiaens, Daniels, Fuller, Haffey, Hager, Hirsch, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Severson, Smith, Van Valkenburg.
Total 19

Noes: Aklestad, Anderson, Blaylock, Brown, Conover, Crippen, Farrell, Gage, Galt, Goodover, Harding, Himsl, Jacobson, Mohar, Pinsoneault, Regan, Shaw, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail.
Total 24

Excused: Stimatz.
Total 1

Absent or not voting: Eck, Halligan, Hammond, Kolstad, Stephens, Mr. President.
Total 6

Senator Jacobson moved that HB 571 be taken from the Committee on Public Health, Welfare and Safety and that it be rereferred to the Committee on Business and Industry. Motion carried unanimously.

Senator Halligan excused at this time.

SPECIAL ORDERS OF THE DAY

The Senate considered the Governor's appointments for confirmation.

Senator Haffey moved that the appointment of Ellen Feaver, Helena, Montana, as Director of Administration, to serve at the pleasure of the Governor, be concurred in and the Senate Resolution of such confirmation be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 39

Noes: Boylan, Shaw, Smith, Tveit.
Total 4

Excused: Halligan, Stimatz.
Total 2

Absent or not voting: Eck, Hammond, Kolstad, Stephens, Thayer.
Total 5

Senator Haffey moved that the appointment of Keith Kelly, Helena, Montana, as Director of Agriculture, to serve at the pleasure of the Governor, be concurred in and the Senate Resolution of such confirmation be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: None.
Total 0

Excused: Halligan, Stimatz.
Total 2

Absent or not voting: Eck, Hammond, Kolstad, Stephens.
Total 4

Senator Haffey moved that the appointment of Keith Colbo, Helena, Montana, as Director of Commerce, to serve at the pleasure of the Governor, be concurred in and the Senate Resolution of such confirmation be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 43

Noes: None.
Total 0

Excused: Halligan, Stimatz.
Total 2

Absent or not voting: Eck, Galt, Hammond, Kolstad, Stephens.
Total 5

Senator Haffey moved that the appointment of James W. Flynn, Helena, Montana, as Director of Fish, Wildlife, and Parks, to serve at the pleasure of the Governor, be concurred in and the Senate Resolution of such confirmation be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: None.
Total 0

Excused: Halligan, Stimatz.
Total 2

Absent or not voting: Eck, Galt, Hammond, Kolstad, Stephens.
Total 5

Senator Haffey moved that the appointment of John J. Drynan, M.D., Helena, Montana, as Director of Health and Environmental Sciences, to serve at the pleasure of the Governor, be concurred in and the Senate Resolution of such confirmation be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: None.
Total 0

Excused: Halligan, Stimatz.
Total 2

Absent or not voting: Galt, Hammond, Kolstad, Stephens, Thayer.
Total 5

Senator Halligan present at this time.

Senator Haffey moved that the appointment of Gary Wicks, Helena, Montana, as Director of Highways, to serve at the pleasure of the Governor, be concurred in and the Senate Resolution of such confirmation be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Halligan, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 39

Noes: Harding, Manning, Smith, Story, Tveit.
Total 5

Excused: Stimatz.
Total 1

Absent or not voting: Galt, Hager, Hammond, Kolstad, Stephens.
Total 5

Senator Haffey moved that the appointment of Carroll V. South, Helena, Montana, as Director of Institutions, to serve at the pleasure of the Governor, be concurred in and the Senate Resolution of such confirmation be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Boylan, Shaw.
Total 2

Excused: Stimatz.
Total 1

Absent or not voting: Galt, Hammond, Kolstad, Stephens.
Total 4

Senator Haffey moved that the appointment of David E. Wanzenried, Helena, Montana, as Commissioner of Labor and Industry, to serve at the pleasure of the Governor, be concurred in and the Senate Resolution of such confirmation be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: None.
Total 0

Excused: Stimatz.
Total 1

Absent or not voting: Galt, Goodover, Hammond, Kolstad, Stephens.
Total 5

Senator Haffey moved that the appointment of General James W. Duffy, Helena, Montana, as Adjutant General of Military Affairs, to serve at the pleasure of the Governor, be concurred in and the Senate Resolution of such confirmation be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: None.
Total 0

Excused: Stimatz.
Total 1

Absent or not voting: Galt, Goodover, Hammond, Kolstad, Stephens.
Total 5

Senator Haffey moved that the appointment of Larry Fasbender, Helena, Montana, as Director of Natural Resources and Conservation, to serve at the pleasure of the Governor, be concurred in and the Senate Resolution of such confirmation be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Shaw.
Total 1

Excused: Stimatz.
Total 1

Absent or not voting: Galt, Goodover, Hammond, Kolstad, Stephens.
Total 5

Senator Haffey moved that the appointment of John D. La Faver, Helena, Montana, as Director of Revenue, to serve at the pleasure of the Governor, be concurred in and the Senate Resolution of such confirmation be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 42

Noes: Shaw.
Total 1

Excused: Stimatz.
Total 1

Absent or not voting: Galt, Goodover, Hammond, Kolstad, Stephens, Thayer.
Total 6

Senator Haffey moved that the appointment of David M. Lewis, Helena, Montana, as Director of Social and Rehabilitation Services, to serve at the pleasure of the Governor, be concurred in and the Senate Resolution of such confirmation be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: None.
Total 0

Excused: Stimatz.
Total 1

Absent or not voting: Galt, Goodover, Hammond, Kolstad, Stephens.
Total 5

Senator Haffey moved that the appointment of Dennis Hemmer, Helena, Montana, as Commissioner of State Lands, to serve at the pleasure of the Governor, be concurred in and the Senate Resolution of such confirmation be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Stimatz.
Total 1

Absent or not voting: Galt, Hammond, Kolstad, Stephens.
Total 4

Senator Haffey moved that the appointment of Morris Brusett, Helena, Montana, as a member of the Pacific Northwest Electric Power and Conservation Planning Council, to serve at the pleasure of the Governor, be concurred in and the Senate Resolution of such confirmation be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson,

Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Stimatz.
Total 1

Absent or not voting: Galt, Hammond, Kolstad, Stephens.
Total 4

Senator Haffey moved that the appointment of Gerald Mueller, Helena, Montana, as a member of the Pacific Northwest Electric Power and Conservation Planning Council, to serve at the pleasure of the Governor, be concurred in and the Senate Resolution of such confirmation be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: None.
Total 0

Excused: Stimatz.
Total 1

Absent or not voting: Galt, Hammond, Kolstad, Shaw, Stephens.
Total 5

Senator Haffey moved that the appointment of Gary L. Blewett, Helena, Montana, as administrator of the Workers' Compensation Division of the Department of Labor and Industry, to serve at the pleasure of the Governor, be concurred in and the Senate Resolution of such confirmation be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Stimatz.
Total 1

Absent or not voting: Galt, Hammond, Kolstad, Stephens.
Total 4

Senator Van Valkenburg moved that the Senate adjourn until 10:00 a.m., March 9, 1985.

Motion carried.

Senate adjourned at 5:49 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

FIFTY-FIRST LEGISLATIVE DAY

Helena, Montana
March 9, 1985

Senate Chambers
State Capitol

Senate convened at 10:04 a.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Severson, Story, Towe, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 3/9/85
Correctly printed and placed on the members' desks: SB 280, SB 400.
Correctly enrolled: SB 18.
Examined by the sponsor (Mazurek) and found to be correct: SB 18.

Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 3/9/85
Recommend that at the close of business March 9, 1985, the following employment be terminated:

Bryan Anderson ..... Page
James Moe ..... Page
Tami Robertson ..... Page
Caitlin Hill ..... Page
Marcia Fost ..... Page
Janie Thayer ..... Page
Wendy Hoverson ..... Page
Kelcey Diemert ..... Page
Laurie Anderson ..... Page

Report adopted.

EDUCATION AND CULTURAL RESOURCES (Blaylock, Chairman): 3/8/85

HB 209, be concurred in. Report adopted.
HB 416, be concurred in. Report adopted.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bills concurred in and returned to the Senate: 3/8/85

SB 59, introduced by Towe

SB 114, introduced by Story

SJR 5, introduced by Mazurek, et al.

House bill passed and transmitted to the Senate for concurrence: 3/8/85

HB 636, introduced by Abrams, et al.

SPECIAL ORDERS OF THE DAY

The Regional Representative of the Department of Transportation, Patricia Keyes, spoke to the members of the Senate.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 9.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 464 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Severson, Story, Towe.
Total 3

Absent or not voting: None.
Total 0

HB 98 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Regan, Shaw, Smith, Stephens, Stimatz, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 44

Noes: McCallum, Pinsoneault, Mr. President.
Total 3

Excused: Severson, Story, Towe.
Total 3

Absent or not voting: None.
Total 0

HB 104 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Severson, Story, Towe.
Total 3

Absent or not voting: None.
Total 0

HB 125 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch,

Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Severson, Story, Towe.
Total 3

Absent or not voting: None.
Total 0

HB 128 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Severson, Story, Towe.
Total 3

Absent or not voting: None.
Total 0

HB 134 concurred in as follows:

Ayes: Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Stimatz, Thayer, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 35

Noes: Aklestad, Blaylock, Galt, Goodover, Hammond, Neuman, Regan, Shaw, Smith, Stephens, Tveit, Weeding.
Total 12

Excused: Severson, Story, Towe.
Total 3

Absent or not voting: None.
Total 0

Senator Towe present at this time.

HB 139 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Smith, Stephens, Stimatz,

Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Shaw.
Total 1

Excused: Severson, Story.
Total 2

Absent or not voting: None.
Total 0

HB 210 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Severson, Story.
Total 2

Absent or not voting: None.
Total 0

HB 213 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Severson, Story.
Total 2

Absent or not voting: None.
Total 0

HB 246 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Severson, Story.
Total 2

Absent or not voting: None.
Total 0

HB 251 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Aklestad, Daniels.
Total 2

Excused: Severson, Story.
Total 2

Absent or not voting: None.
Total 0

HB 306 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Daniels, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Pinsoneault, Shaw, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Williams, Mr. President.
Total 32

Noes: Christiaens, Crippen, Eck, Goodover, Hammond, Harding, Himsl, Hirsch, Mazurek, Mohar, Neuman, Regan, Smith, Stephens, Tveit, Yellowtail.
Total 16

Excused: Severson, Story.
Total 2

Absent or not voting: None.
Total 0

HB 390 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Himsl, Neuman.
Total 2

Excused: Severson, Story.
Total 2

Absent or not voting: None.
Total 0

HJR 2 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Severson, Story.
Total 2

Absent or not voting: None.
Total 0

HJR 8 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Severson, Story.
Total 2

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Shaw in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 96 - That HB 96 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens,

Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Severson, Story.
Total 2

Absent or not voting: None.
Total 0

HB 150 - That HB 150 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Severson, Story.
Total 2

Absent or not voting: None.
Total 0

HB 153 - That HB 153 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Severson, Story.
Total 2

Absent or not voting: None.
Total 0

HB 163 - That HB 163 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Severson, Story.
Total 2

Absent or not voting: None.
Total 0

HB 178 - That HB 178 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Neuman.
Total 1

Excused: Severson, Story.
Total 2

Absent or not voting: None.
Total 0

HB 180 - That HB 180 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Severson, Story.
Total 2

Absent or not voting: None.
Total 0

HB 184 - That HB 184 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Gage, Harding.
Total 2

Excused: Severson, Story.

Total 2

Absent or not voting: None.
Total 0

HB 189 - That HB 189 be concurred in. Motion carried as follows:

Ayes: Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Stephens, Thayer, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 36

Noes: Aklestad, Bengtson, Galt, Hammond, Hirsch, McCallum, Neuman, Shaw, Smith, Tveit.
Total 10

Excused: Severson, Story.
Total 2

Absent or not voting: Stimatz, Williams.
Total 2

HB 197 - That HB 197 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Severson, Story.
Total 2

Absent or not voting: None.
Total 0

HB 202 - That HB 202 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Severson, Story.
Total 2

Absent or not voting: None.
Total 0

HB 293 - That HB 293 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Severson, Story.
Total 2

Absent or not voting: None.
Total 0

HB 298 - That HB 298 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Severson, Story.
Total 2

Absent or not voting: None.
Total 0

HB 412 - That HB 412 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Severson, Story.
Total 2

Absent or not voting: None.
Total 0

HB 522 - That HB 522 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek,

McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Severson, Story.
Total 2

Absent or not voting: None.
Total 0

HB 568 - That HB 568 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Severson, Story.
Total 2

Absent or not voting: None.
Total 0

HB 605 - That HB 605 be concurred in. Motion carried as follows:

Ayes: Anderson, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Fuller, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Mr. President.
Total 29

Noes: Aklestad, Bengtson, Blaylock, Daniels, Farrell, Gage, Galt, Goodover, Hammond, Keating, Mazurek, Mohar, Shaw, Smith, Stephens, Thayer, Tveit, Yellowtail.
Total 18

Excused: Severson, Story.
Total 2

Absent or not voting: Williams.
Total 1

HB 639 - That HB 639 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Fuller, Gage, Haffey, Hager, Halligan, Harding, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, Mohar, Pinsoneault, Regan, Smith, Thayer, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 32

Noes: Boylan, Daniels, Farrell, Galt, Goodover, Hammond, Himsl, Hirsch, Lynch, McCallum, Neuman, Shaw, Stephens, Stimatz, Weeding.

Total 15

Excused: Severson, Story.
Total 2

Absent or not voting: Tveit.
Total 1

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Shaw moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

NATURAL RESOURCES (Eck, Chairman): 3/9/85
HB 367, be concurred in. Report adopted.
HB 543, be concurred in. Report adopted.
HB 755, be concurred in. Report adopted.

TAXATION (Towe, Chairman): 3/9/85
HB 171, be concurred in. Report adopted.
SB 309, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
SB 309

A statement of intent is required for this bill because section 3 grants rulemaking authority to the department of health and environmental sciences to promulgate rules establishing emission testing and emission certification standards for low emission wood or biomass combustion devices and listing such devices that are certified.

It is the intent of the legislature that the department review and incorporate into its rules, as appropriate, the testing criteria and procedures for wood stove certification contained in sections 340-21-100 through 340-21-190 of the Oregon Administrative Rules. None of the rules adopted by the department to implement this bill may regulate the use of wood stoves. The rules may only address certification procedures for determining qualification for a tax credit for the installation of low emission wood or biomass combustion devices.

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., March 11, 1985.

Motion carried.

Senate adjourned at 12:05 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

FIFTY-SECOND LEGISLATIVE DAY

Helena, Montana
March 11, 1985

Senate Chambers
State Capitol

Senate convened at 3:01 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the fiftieth legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 3/11/85
Correctly printed and placed on the members' desks: SB 309.
Signed by the President at 10:30 a.m., 3/11/85: SB 18, HB 56, HB 99, HB 103, HB 119, HB 144.

Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 3/11/85
Recommend that at the beginning of business March 11, 1985, the following be employed:

Jamie Towe ..... Page
Earl McAlear ..... Page
Erika Swanson ..... Page
Katie Voth ..... Page
Karen Brinkel ..... Page
Steve Thuesen ..... Page
Lee Severson ..... Page
Yvonne Smith ..... Page

Report adopted.

JUDICIARY (Mazurek, Chairman): 3/11/85
HB 547, be concurred in. Report adopted.
HB 644, be concurred in. Report adopted.

LOCAL GOVERNMENT (Fuller, Chairman): 3/9/85
HB 263, third reading copy, be amended as follows:

1. Page 3.
Following: line 22
Insert: "(1) third class school districts where the board of trustees does not meet monthly;"
Renumber: subsequent subsections

And, as amended, be concurred in. Report adopted.

HB 299, be concurred in. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman): 3/8/85
HB 289, be concurred in. Report adopted.
HB 526, be concurred in. Report adopted.
HB 588, be concurred in. Report adopted.
HB 729, be concurred in. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 3/11/85

HB 283 - That HB 283, third reading copy, be amended as follows:

1. Page 9, line 4.
Following: "contribution."
Insert: "(1)"

2. Page 9, line 10.
Following: "3]."
Insert: "(2) The department shall credit all fees deposited as provided in [section 3] as part of the state's contribution required in subsection (1)."

And, as amended, be concurred in. Report adopted.

TAXATION (Towe, Chairman): 3/11/85

SB 330, introduced bill, be amended as follows:

1. Title, lines 4 and 5.
Following: "EXCLUDE" on line 4
Strike: remainder of line 4 through "STATES" on line 5
Insert: "FOREIGN PARENT CORPORATIONS"

2. Title, line 7.
Following: "SECTIONS"
Strike: "15-31-302"
Insert: "15-31-301, 15-31-305,"

3. Page 1, line 11 through line 16, page 2.
Strike: section 1 in its entirety
Insert: "Section 1. Section 15-31-301, MCA, is amended to read:

"15-31-301. Corporations subject to allocation and apportionment. (1) Any corporation having income from business activity which is taxable both within and without this state shall allocate and apportion its net income as provided in this part.

(2) A corporation engaged in a unitary business within and without Montana must apportion its business income as provided for under 15-31-305. A business is unitary when the operation of the business within the state is dependent upon or contributory to the operation of the business outside the state or if the units of the business within and without the state are closely allied and not capable of separate maintenance as independent businesses. In combining corporations engaged in a unitary business within and without Montana, the income, expenses, and activities of a parent corporation, incorporated under the laws of a foreign country, shall not be considered in calculating the tax. However, to the extent such parent corporations are subject to tax as separate corporate entities, such corporations remain subject to tax as provided for in this chapter.

(3) A corporation not engaged in a unitary business must allocate its business income by means of separate accounting methods, provided its books and records are so kept that the income and expenses attributable to business operations within the state can be properly segregated from total income and expense. If the corporation's books and records do not permit such proper segregation, its business income must be apportioned according to the provisions of 15-31-305."

Section 2. Section 15-31-305, MCA, is amended to read:

"15-31-305. Apportionment of business income. All business income shall be apportioned to this state by multiplying the income by a fraction, the numerator of which is the property factor plus the payroll factor plus the sales factor and the denominator of which is 3. Neither the income nor the factors of a foreign parent corporation shall be considered for purposes of these calculations unless such corporation is subject to tax in this state as a separate taxable entity.""

Renumber: subsequent sections

4. Page 3, lines 19 through 21.
Following: "business" on line 19
Strike: remainder of line 19 through "States" on line 21
Insert: "activities of a foreign parent corporation unless such corporation is subject to tax in Montana as a separate entity"

5. Page 3.
Following: line 21
Insert: "NEW SECTION. Section 4. Extension of authority. Any existing authority of the department of revenue to make rules on the subject of the provisions of this act is extended to the provisions of this act. Rulemaking may begin upon passage and approval."
Renumber: subsequent section

And, as amended, do pass. Report adopted.

SB 436, introduced bill, be amended as follows:

1. Page 3, line 19.
Strike: "$4,800"
Insert: "$9,000"

2. Page 4, line 4.
Strike: "$2,400"
Insert: "$4,500"

3. Page 4, line 5.
Strike: "$3,600"
Insert: "$6,750"

4. Page 4, line 7.
Strike: "$4,800"
Insert: "$9,000"

5. Page 4, lines 10 and 14.
Strike: "$18,000"
Insert: "$34,000"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

March 11, 1985

Dear Mr. President:

This is to inform you that I have signed Senate Bill No. 122 on this date.

Sincerely,

Ted Schwinden

Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bills concurred in and returned to the Senate: 3/9/85

SB 6, introduced by Daniels

SB 7, introduced by Neuman

SB 8, introduced by Neuman

SB 14, introduced by Kolstad

Senate bills not concurred in and returned to the Senate: 3/9/85

SB 27, introduced by Daniels

SJR 18, introduced by Fuller, et al. 3/11/85

The House, on 3/5/85, failed to concur in Senate amendments to HB 3 and appointed a conference committee, requesting that the Senate appoint a like committee to confer on Senate amendments to HB 3.

The Speaker appointed the following members:

Representative Marks
Representative Bardanouve
Representative Keyser
Representative Waldron

MOTIONS

Senator Gage moved that consideration on SB 67, on second reading this legislative day, be passed until the 54th legislative day, 3/13/85. Motion carried unanimously.

FIRST READING OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 565, introduced by Fritz, Peck, Thoft, Spaeth, Manuel, (By Request of the Montana Historical Society). Referred to Committee on Finance and Claims.

HB 636, introduced by Abrams, Devlin, Hart, Asay, Keating, Zabrocki, E. Smith, Shaw, Tveit, Gage, Stephens, Nathe, Hanson, D. Brown. Referred to Committee on Taxation.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 8 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.

Total 0

Excused: None.
Total 0

Absent or not voting: Hager, Story.
Total 2

HB 72 concurred in as follows:

Ayes: Aklestad, Anderson, Boylan, Brown, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Lybeck, Mazurek, McCallum, Mohar, Pinsoneault, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 37

Noes: Bengtson, Blaylock, Christiaens, Goodover, Jacobson, Kolstad, Lane, Lynch, Manning, Neuman, Regan, Shaw.
Total 12

Excused: None.
Total 0

Absent or not voting: Hager.
Total 1

HB 169 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Hager.
Total 1

HB 182 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Hager.

Total 1

HB 215 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Stimatz.
Total 1

Excused: None.
Total 0

Absent or not voting: Hager.
Total 1

HB 232 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Severson.
Total 1

HB 258 concurred in as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Bengtson, Keating, Neuman.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 266 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 336 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 372 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 428 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith,

Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 595 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Story.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 600 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Daniels, Neuman.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 715 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of Senator Hammond, and without objection, Senator Hammond's vote on HB 266 be recorded as yes.

At the request of Senator Harding, and without objection, Senator Harding's vote on HB 266 be recorded as yes.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

The Committee on Public Health, Welfare and Safety and Senator Neuman excused at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Eck in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Senators Norman, Stephens, and Towe present at this time.

SB 280 - That SB 280, second reading copy, be amended as follows:

1. Title, line 6.
Following: "AT"
Strike: "50"
Insert: "45"

2. Title, line 7.
Following: "15-6-132,"
Insert: "15-6-208,"

3. Page 2, line 13.
Following: "at"
Strike: "50%"
Insert: "45%"

4. Page 4, line 15.
Following: "subtracting"
Strike: "such portion of the proceeds as may be"
Insert: "the first $40,000 of merchantable value, which is"

5. Page 12.
Following: line 9
Insert: "Section 16. Section 15-6-208, MCA, is amended to read:

"15-6-208. Mineral exemptions. (1) One-half of the contract sales price of coal sold by a coal producer who extracts less than 50,000 tons of coal in a calendar year is exempt from taxation.

(2) Metal mines producing less than 20,000 tons of ore in a taxable year shall be exempt from property taxation on one-half of the merchantable value.

(3) The first $40,000 of merchantable value of gemstones produced annually from any gemstone mine are exempt from taxation.""

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Hirsch, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Hager, Himsl, Jacobson, Lynch, Neuman.
Total 5

Absent or not voting: None.
Total 0

That SB 280, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Hirsch, Kolstad, Lane, Lybeck, Manning, Mazurek, Mohar, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 42

Noes: Keating, McCallum, Severson.
Total 3

Excused: Hager, Himsl, Jacobson, Lynch, Neuman.
Total 5

Absent or not voting: None.
Total 0

Senator Stephens excused at this time.

SB 400 - That SB 400 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Hirsch, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: None.
Total 0

Excused: Hager, Himsl, Jacobson, Lynch, Neuman, Stephens.
Total 6

Absent or not voting: None.
Total 0

Senator Mazurek excused at this time.

HB 85 - That HB 85 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Conover, Crippen, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Hirsch, Keating, Kolstad, Lane, Lybeck, McCallum, Mohar, Pinsoneault, Shaw, Smith, Stimatz, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 31

Noes: Blaylock, Boylan, Christiaens, Gage, Manning, Thayer.
Total 6

Excused: Hager, Himsl, Jacobson, Lynch, Mazurek, Neuman, Stephens.
Total 7

Absent or not voting: Brown, Daniels, Regan, Severson, Story, Weeding.
Total 6

Senator Mazurek present at this time.

HB 146 - That HB 146 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Hirsch, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: None.
Total 0

Excused: Hager, Himsl, Jacobson, Lynch, Neuman, Stephens
Total 6

Absent or not voting: None.
Total 0

Senator Stephens present at this time.

Senator Norman excused at this time.

HB 159 - That HB 159 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Hirsch, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 44

Noes: None.
Total 0

Excused: Hager, Himsl, Jacobson, Lynch, Neuman, Mr. President.
Total 6

Absent or not voting: None.
Total 0

HB 166 - That HB 166 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Halligan, Hammond, Harding, Hirsch, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 44

Noes: None.
Total 0

Excused: Hager, Himsl, Jacobson, Lynch, Neuman, Mr. President.
Total 6

Absent or not voting: None.
Total 0

HB 196 - That HB 196 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Hirsch, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 44

Noes: None.
Total 0

Excused: Hager, Himsl, Jacobson, Lynch, Neuman, Mr. President.
Total 6

Absent or not voting: None.
Total 0

Senator Himsl present at this time.

HB 216 - That HB 216 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 45

Noes: None.
Total 0

Excused: Hager, Jacobson, Lynch, Neuman, Mr. President.
Total 5

Absent or not voting: None.
Total 0

Senators Lynch and Neuman present at this time.

HB 217 - That HB 217 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz,

Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 47

Noes: None.
Total 0

Excused: Hager, Jacobson, Mr. President.
Total 3

Absent or not voting: None.
Total 0

Senators Hager, Jacobson, and Norman present at this time.

HB 260 - That HB 260 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 268 - That HB 268 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 333 - At the request of Senator Regan, and without objection, consideration on HB 333 be passed.

HB 474 - That HB 474, third reading copy, be amended as follows:

1. Page 2, lines 7 and 8.
Following: "~~board~~" on line 7.
Strike: "OR HAVE EXPERIENCE CONSIDERED EQUIVALENT BY THE BOARD"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 474, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Neuman.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 1 - That HJR 1 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the

Chair. Chairman Eck moved the adoption of the committee report. Report adopted.

At the request of Senator Mazurek, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Mazurek moved that HB 532 be taken from the Committee on Judiciary and that it be rereferred to the Committee on Business and Industry. Motion carried unanimously.

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., March 12, 1985.

Motion carried.

Senate adjourned at 4:44 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

FIFTY-THIRD LEGISLATIVE DAY

Helena, Montana
March 12, 1985

Senate Chambers
State Capitol

Senate convened at 3:02 p.m., President Norman presiding. Invocation by the Chaplain, Pastor Monsen. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journals for the fifty-first and fifty-second legislative days, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 3/12/85
Correctly printed and placed on the members' desks: SB 330, SB 436.
Correctly engrossed: SB 280.
Considered correctly engrossed: SB 400.
Correctly enrolled: SB 59, SB 114, SJR 5.
Examined by the sponsor (Towe) and found to be correct: SB 59.
3/11/85
Examined by the sponsor (Story) and found to be correct: SB 114.
Examined by the sponsor (Mazurek) and found to be correct: SJR 5.
Signed by the President at 1:30 p.m., 3/12/85: SB 59, SB 114, SJR 5.
Delivered to the Governor for his approval at 4:00 p.m., 3/11/85: SB 18.
Delivered to the Governor for his approval at 2:30 p.m., 3/12/85: SB 59, SB 114.

Report adopted.

EDUCATION AND CULTURAL RESOURCES (Blaylock, Chairman):
3/11/85
HB 432, be concurred in. Report adopted.

JUDICIARY (Mazurek, Chairman): 3/12/85
HB 181, be concurred in. Report adopted.
HB 323, third reading copy, be amended as follows:

1. Page 1, line 15.
Following: "penalty,"
Insert: "whether or not the goods have been returned undamaged,"

2. Page 1, line 16.
Following: "exceed"
Strike: "$1,000"
Insert: "$500"

3. Page 1, lines 17 and 18.
Following: "damages" on line 17
Strike: remainder of line 17 through "$200" on line 18

4. Page 2, line 2.
Following: "penalty"
Insert: ", whether or not the goods have been returned undamaged,"

5. Page 2, lines 3 and 4.
Following: "$500" on line 3
Strike: remainder of line 3 through "$200" on line 4

And, as amended, be concurred in. Report adopted.

HB 566, be concurred in. Report adopted.

NATURAL RESOURCES (Eck, Chairman): 3/11/85
HB 362, be concurred in. Report adopted.
HB 523, be concurred in. Report adopted.
HB 524, be concurred in. Report adopted.
HB 582, third reading copy, be amended as follows:

1. Page 1, line 11.
Following: "be a"
Insert: "registered"

2. Page 1, line 12.
Following: "registered"
Insert: "professional"

3. Page 1, lines 12 and 13.
Following: "surveyor"
Strike: remainder of line 12 through "age," on line 13

4. Page 1, line 18.
Following: "practice."
Insert: "However, if the county surveyor position requires the performance of duties under 7-4-2812, the county surveyor must be a registered professional engineer."

And, as amended, be concurred in. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 3/12/85
HB 227, be concurred in. Report adopted.
HB 257, be concurred in. Report adopted.
HB 337, be concurred in. Report adopted.
HB 361, be concurred in. Report adopted.

TAXATION (Towe, Chairman): 3/12/85
SB 161, introduced bill, be amended as follows:

1. Page 11.
Following: line 2
Insert: "NEW SECTION. Section 5. Coordination instruction. If Senate Bill No. 442 is not passed and approved, this act is void."
Renumber: subsequent section

And, as amended, do pass. Report adopted.

SB 442, do pass. Report adopted.
SB 461, introduced bill, be amended as follows:

1. Title, line 15.
Following: "ACT;"
Insert: "DELETING THE LOAN LIMITATION IN SECTION 17-5-1608(1), MCA; PROVIDING FOR THE RESPONSIBILITIES OF THE COUNTY TREASURERS IN THE ISSUANCE OF SUCH NOTES BY SCHOOL DISTRICTS;"

2. Title, line 17.
Following: "17-5-1608,"
Strike: "AND"
Following: "17-5-1611,"
Insert: "AND 20-9-212,"

3. Page 6, line 21 through line 3, page 7.

Following: "not" on line 21, page 6
Strike: remainder of line 21 through "(2)" on line 3, page 7

4. Page 10.
Following: line 24
Insert: "Section 12. Section 20-9-212, MCA, is amended to read:

"20-9-212. Duties of county treasurer. The county treasurer of each county shall:

(1) receive and hold all school money subject to apportionment and keep a separate accounting of its apportionment to the several districts which are entitled to a portion of such money according to the apportionments ordered by the county superintendent. A separate accounting shall be maintained for each county fund supported by a countywide levy for a specific, authorized purpose, including:

(a) the basic county tax in support of the elementary foundation programs;

(b) the basic special tax for high schools in support of the high school foundation programs;

(c) the county tax in support of the county's high school transportation obligation;

(d) the county tax in support of the high school obligations to the retirement systems of the state of Montana;

(e) any additional county tax required by law to provide for deficiency financing of the elementary foundation programs;

(f) any additional county tax required by law to provide for deficiency financing of the high school foundation programs; and

(g) any other county tax for schools, including the community colleges, which may be authorized by law and levied by the county commissioners;

(2) whenever requested, notify the county superintendent and the superintendent of public instruction of the amount of county school money on deposit in each of the funds enumerated in subsection (1) of this section and the amount of any other school money subject to apportionment and apportion such county and other school money to the districts in accordance with the apportionment ordered by the county superintendent;

(3) keep a separate accounting of the expenditures for each budgeted fund included in the final budget of each district;

(4) keep a separate accounting of the receipts, expenditures, and cash balances for each budgeted fund included in the final budget of each district and for each nonbudgeted fund established by each district;

(5) except as otherwise limited by law, pay all warrants properly drawn on the county or district school money and properly endorsed by their holders;

(6) receive all revenue collected by and for each district and deposit these receipts in the fund designated by law or by the district if no fund is designated by law. Interest and penalties on delinquent school taxes shall be credited to the same fund and district for which the original taxes were levied.

(7) send all revenues received for a joint district, part of which is situated in his county, to the county treasurer designated as the custodian of such revenues, no later than December 15 of each year and every 3 months thereafter until the end of the school fiscal year;

(8) at the direction of the trustees of a district, assist the district in the issuance and sale of tax and revenue anticipation notes as provided in [sections 1 through 8];

~~(8)~~(9) register district warrants drawn on a budgeted fund in accordance with 7-6-2604 when there is insufficient money available in the sum of money in all funds of the district to make payment of such warrant. Redemption of registered warrants shall be made in accordance with 7-6-2116, 7-6-2605, and 7-6-2606.

~~(9)~~(10) invest the money of any district as directed by the trustees of the district;

~~(10)~~(11) give each month to the trustees of each district an itemized report for each fund maintained by the district, showing the paid warrants, outstanding warrants, registered warrants, amounts and types of revenue received, and the cash balance; and

~~(11)~~(12) remit promptly to the state treasurer receipts for the county tax for a postsecondary vocational-technical center when levied by the board of county commissioners.""

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

Adverse Committee Reports

TAXATION (Towe, Chairman): 3/12/85

SB 405, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 42

Noes: Brown, Daniels, Eck, Lybeck, Lynch, Stimatz, Thayer.
Total 7

Excused: None.
Total 0

Absent or not voting: Severson.
Total 1

SPECIAL ORDERS OF THE DAY

The Helena Senior Singers entertained the members of the Senate.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 5.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bills concurred in and returned to the Senate: 3/11/85

SB 5, introduced by Daniels

SB 24, introduced by Towe, Asay

SB 78, introduced by Tveit

SB 87, introduced by Mazurek

SJR 8, introduced by Story

SJR 23, introduced by Haffey, et al.

Senate bill concurred in as amended and returned to the Senate for concurrence in House amendments: 3/11/85

SB 68, introduced by Jacobson

FIRST READING OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SJR 34, introduced by Himsl, Regan, Blaylock, E. Smith. Referred to Committee on Finance and Claims.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 96 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 150 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.

Total 0

HB 153 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 163 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 178 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Shaw.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 180 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Hammond, McCallum, Shaw, Smith, Thayer, Tveit.
Total 6

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 184 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Brown, Eck, Gage, Harding, Shaw.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 189 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Aklestad, Galt, Hammond, Hirsch, McCallum, Severson, Shaw.
Total 7

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 197 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith,

Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Shaw.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 202 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Towe.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 293 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 298 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 412 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 522 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 568 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.

Total 0

Absent or not voting: None.
Total 0

HB 605 concurred in as follows:

Ayes: Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 43

Noes: Aklestad, Bengtson, Hirsch, Kolstad, Neuman, Stephens, Yellowtail.
Total 7

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 639 concurred in as follows:

Ayes: Aklestad, Bengtson, Blaylock, Brown, Conover, Crippen, Eck, Fuller, Gage, Haffey, Hager, Halligan, Harding, Jacobson, Keating, Kolstad, Lane, Lybeck, Mazurek, Mohar, Pinsoneault, Severson, Smith, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 31

Noes: Anderson, Boylan, Christiaens, Daniels, Farrell, Galt, Goodover, Hammond, Himsl, Hirsch, Lynch, Manning, McCallum, Neuman, Regan, Shaw, Stephens, Stimatz, Tveit.
Total 19

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of Senator Mohar, and without objection, Senator Mohar's vote on HB 184 be recorded as yes.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator McCallum in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 309 - That SB 309 do pass. Motion carried as follows:

Ayes: Blaylock, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Hager, Halligan, Harding, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mohar, Pinsoneault, Regan, Stephens, Van Valkenburg, Weeding, Williams, Mr. President.

Total 26

Noes: Aklestad, Anderson, Bengtson, Boylan, Crippen, Galt, Goodover, Hammond, Himsl, Keating, McCallum, Severson, Shaw, Stimatz, Thayer, Tveit.
Total 16

Excused: None.
Total 0

Absent or not voting: Gage, Haffey, Mazurek, Neuman, Smith, Story, Towe, Yellowtail.
Total 8

HB 171 - That HB 171 be concurred in. Senator Van Valkenburg made a substitute motion that HB 171 be moved to the bottom of the board. Substitute motion carried unanimously.

HB 209 - That HB 209 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 333 - That HB 333, third reading copy, be amended as follows:

1. Page 1.
Following: line 19
Insert: "(2) Within 30 days of taking office, a justice of the peace shall provide a list of persons who are qualified to hold court in his place during a temporary absence when no other justice or city judge is available. The county commissioners shall administer the oath of office to each person on this list within the ensuing 30 days or as soon thereafter as possible."

That HB 333, Senate Local Government standing committee report of 3/7/85, be further amended as follows:

1. Amendment No. 2.
Following: "judge or"
Strike: remainder of amendment
Insert: "a person from the list provided for in subsection (2) to hold court for the absent judge until his return. If the justice is unable to call in a substitute, the county commissioners shall call in another justice, a city judge, or a person from the list provided for in subsection (2)."

Senator Regan requested, without objection, that both amendments be voted on concurrently.

Amendments passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 333, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 367 - That HB 367 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 416 - That HB 416 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 543 - That HB 543 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 755 - That HB 755 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 171 - That HB 171 be concurred in. Motion failed as follows:

Ayes: Blaylock, Christiaens, Daniels, Eck, Fuller, Haffey, Hager, Jacobson, Lybeck, Manning, Mazurek, Mohar, Pinsoneault, Regan, Towe, Van Valkenburg, Weeding, Yellowtail.
Total 18

Noes: Aklestad, Anderson, Bengtson, Boylan, Brown, Conover, Crippen, Farrell, Gage, Galt, Goodover, Halligan, Hammond, Harding, Himsl,

Hirsch, Keating, Kolstad, Lynch, McCallum, Neuman, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams, Mr. President.
Total 30

Excused: None.
Total 0

Absent or not voting: Lane, Stimatz.
Total 2

Senator Van Valkenburg moved that HB 171 be indefinitely postponed. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lynch, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Weeding, Williams, Mr. President.
Total 37

Noes: Christiaens, Eck, Hager, Lybeck, Manning, Mazurek, Regan, Towe, Van Valkenburg, Yellowtail.
Total 10

Excused: None.
Total 0

Absent or not voting: Blaylock, Lane, Stimatz.
Total 3

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman McCallum moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

TAXATION (Towe, Chairman): 3/12/85

SB 390, introduced bill, be amended as follows:

1. Title, line 9.
Following: "LIMITATIONS;"
Insert: "PROVIDING FOR DISPOSITION OF TAXES IN LIEU OF NET PROCEEDS TAXES;"

2. Title, line 11.
Following: "15-23-605,"
Strike: "AND"
Following: "15-23-607,"
Insert: "20-9-141, 20-9-331, 20-9-333, 20-9-352, 20-9-501, AND 20-10-144,"

3. Page 7, line 8.
Following: "oil,"
Strike: "6.3%"
Insert: "6.5%"

4. Page 7, line 10.
Following: "gas,"
Strike: "9.2%"
Insert: "10%"

5. Page 8, lines 8 and 25;
Page 9, lines 6 and 22;
Page 10, lines 6, 15, and 23; and
Page 11, line 24.
Following: "levied"
Strike: "as provided in 15-23-607"
Insert: "divided by the appropriate tax rates described in 15-23-607(2)(a) or (2)(b) and multiplied by 60%"

6. Page 12.
Following: line 8
Insert: "NEW SECTION. Section 11. Disposition of taxes in lieu of net proceeds taxes. The county treasurer shall credit all taxes on new oil or gas production, as provided for in 15-23-607, in the relative proportions required by the levies for state, county, school district, and municipal purposes in the same manner as property taxes were distributed in the year preceding the budget year.

Section 12. Section 20-9-141, MCA, is amended to read:

"20-9-141. Computation of general fund net levy requirement by county superintendent. (1) The county superintendent shall compute the levy requirement for each district's general fund on the basis of the following procedure:

(a) Determine the total of the district's nonisolated school foundation program requirement to be met by a district levy as provided in 20-9-303, the district's permissive levy amount as provided in 20-9-352, and any additional levies authorized by the electors of the district under the provisions of 20-9-353, except that the total of the permissive and additional levies shall not exceed the total amount of the final general fund budget less the foundation program.

(b) Determine the total of the moneys available for the reduction of the property tax on the district for the general fund by totaling:

(i) anticipated federal moneys received under the provisions of Title I of Public Law 81-874 or other anticipated federal moneys received in lieu of such federal act;

(ii) anticipated tuition payments for out-of-district pupils under the provisions of 20-5-303, 20-5-307, 20-5-312, and 20-5-313;

(iii) general fund cash reappropriated, as established under the provisions of 20-9-104;

(iv) anticipated state impact aid received under the provisions of 20-9-304;

(v) anticipated motor vehicle fees and reimbursement under the provisions of 61-3-532 and 61-3-536;

(vi) anticipated net proceeds for new production, as defined in 15-23-601;

~~(vi)~~(vii) anticipated interest to be earned by the investment of general fund cash in accordance with the provisions of 20-9-213(4); and

~~(vii)~~(viii) any other revenue anticipated by the trustees to be received during the ensuing school fiscal year which may be used to finance the general fund.

(c) Subtract the total of the moneys available to reduce the property tax required to finance the general fund that has been determined in subsection (1)(b) from the total levy requirement determined in subsection (1)(a).

(2) The net general fund levy requirement determined in subsection (1)(c) shall be reported to the county commissioners on the second Monday of August by the county superintendent as the general fund levy requirement for the district, and a levy shall be made by the county commissioners in accordance with 20-9-142."

Section 13. Section 20-9-331, MCA, is amended to read:

"20-9-331. Basic county tax and other revenues for county equalization of the elementary district foundation program. (1) It shall be the duty of the county commissioners of each county to levy an annual basic tax of 28 mills on the dollars of the taxable value of all taxable property within the county for the purposes of local and state foundation program support. The revenue to be collected from this levy shall be apportioned to the support of the foundation programs of the elementary school districts in the county and to the state special revenue fund, state equalization aid account, in the following manner:

(a) In order to determine the amount of revenue raised by this levy which is retained by the county, the sum of the estimated revenues identified in subsections (2)(a) through (2)(f) below shall be subtracted from the sum of the county elementary transportation obligation and the total of the foundation programs of all elementary districts of the county.

(b) If the basic levy prescribed by this section produces more revenue than is required to finance the difference determined above, the county commissioners shall order the county treasurer to remit the surplus funds to the state treasurer for deposit to the state special revenue fund, state equalization aid account, not later than June 1 of the fiscal year for which the levy has been set.

(2) The proceeds realized from the county's portion of the levy prescribed by this section and the revenues from the following sources shall be used for the equalization of the elementary district foundation programs of the county as prescribed in 20-9-334, and a separate accounting shall be kept of such proceeds and revenues by the county treasurer in accordance with 20-9-212(1):

(a) the portion of the federal Taylor Grazing Act funds distributed to a county and designated for the common school fund under the provisions of 17-3-222;

(b) the portion of the federal flood control act funds distributed to a county and designated for expenditure for the benefit of the county common schools under the provisions of 17-3-232;

(c) all money paid into the county treasury as a result of fines for violations of law and the use of which is not otherwise specified by law;

(d) any money remaining at the end of the immediately preceding school fiscal year in the county treasurer's account for the various sources of revenue established or referred to in this section; ~~and~~

(e) any federal or state money, including anticipated motor vehicle fees and reimbursement under the provisions of 61-3-532 and

61-3-536, distributed to the county as payment in lieu of the property taxation established by the county levy required by this section~~.~~; and

(f) net proceeds for new production, as defined in 15-23-601."

Section 14. Section 20-9-333, MCA, is amended to read:

"20-9-333. Basic special levy and other revenues for county equalization of high school district foundation program. (1) It shall be the duty of the county commissioners of each county to levy an annual basic special tax for high schools of 17 mills on the dollar of the taxable value of all taxable property within the county for the purposes of local and state foundation program support. The revenue to be collected from this levy shall be apportioned to the support of the foundation programs of high school districts in the county and to the state special revenue fund, state equalization aid account, in the following manner:

(a) In order to determine the amount of revenue raised by this levy which is retained by the county, the estimated revenues identified in subsections (2)(a) and (2)(b) below shall be subtracted from the sum of the county's high school tuition obligation and the total of the foundation programs of all high school districts of the county.

(b) If the basic levy prescribed by this section produces more revenue than is required to finance the difference determined above, the county commissioners shall order the county treasurer to remit the surplus to the state treasurer for deposit to the state special revenue fund, state equalization aid account, not later than June 1 of the fiscal year for which the levy has been set.

(2) The proceeds realized from the county's portion of the levy prescribed in this section and the revenues from the following sources shall be used for the equalization of the high school district foundation programs of the county as prescribed in 20-9-334, and a separate accounting shall be kept of these proceeds by the county treasurer in accordance with 20-9-212(1):

(a) any money remaining at the end of the immediately preceding school fiscal year in the county treasurer's account for deposit of the proceeds from the levy established in this section; ~~and~~

(b) any federal or state moneys, including anticipated motor vehicle fees and reimbursement under the provisions of 61-3-532 and 61-3-536, distributed to the county as a payment in lieu of the property taxation established by the county levy required by this section~~.~~; and

(c) net proceeds for new production, as defined in 15-23-601."

Section 15. Section 20-9-352, MCA, is amended to read:

"20-9-352. Permissive amount and permissive levy. (1) Whenever the trustees of any district shall deem it necessary to adopt a general fund budget in excess of the foundation program amount but not in excess of the maximum general fund budget amount for such district as established by the schedules in 20-9-316 through 20-9-321, the trustees shall adopt a resolution stating the reasons and purposes for exceeding the foundation program amount. Such excess above the foundation program amount shall be known as the "permissive amount", and it shall be financed by a levy on the taxable value of

all taxable property within the district as prescribed in 20-9-141, supplemented with any biennial appropriation by the legislature for this purpose.

(2) The district levies to be set for the purpose of funding the permissive amount are determined as follows:

(a) For each elementary school district, the county commissioners shall annually set a levy not exceeding 6 mills on all the taxable property in the district for the purpose of funding the permissive amount of the district. The permissive levy in mills shall be obtained by multiplying the ratio of the permissive amount to the maximum permissive amount by 6 or by using the number of mills which would fund the permissive amount, whichever is less. If the amount of revenue raised by this levy, plus anticipated motor vehicle fees and reimbursement under the provisions of 61-3-532 and 61-3-536, is not sufficient to fund the permissive amount in full, the amount of the deficiency shall be paid to the district from the state special revenue fund according to the provisions of 20-9-351 and subsection (3) of this section.

(b) For each high school district, the county commissioners shall annually set a levy not exceeding 4 mills on all taxable property in the district for the purpose of funding the permissive amount of the district. The permissive levy in mills shall be obtained by multiplying the ratio of the permissive levy to the maximum permissive amount by 4 or by using the number of mills which would fund the permissive amount, whichever is less. If the amount of revenue raised by this levy, plus anticipated motor vehicle fees and reimbursement under the provisions of 61-3-532 and 61-3-536, <u>and plus net proceeds for new production, as defined in 15-23-601,</u> is not sufficient to fund the permissive amount in full, the amount of the deficiency shall be paid to the district from the state special revenue fund according to the provisions of 20-9-351 and subsection (3) of this section. The superintendent of public instruction shall, if the appropriation by the legislature for the permissive account [program] for the biennium is insufficient, request the budget director to submit a request for a supplemental appropriation in the second year of the biennium.

(3) Such distribution shall be made in two payments. The first payment shall be made at the same time as the first distribution of state equalization aid is made after January 1 of the fiscal year. The second payment shall be made at the same time as the last payment of state equalization aid is made for the fiscal year. If the appropriation is not sufficient to finance the deficiencies of the districts as determined according to subsection (2), each district will receive the same percentage of its deficiency. Surplus revenue in the second year of the biennium may be used to reduce the appropriation required for the next succeeding biennium or may be transferred to the state equalization aid state special revenue fund if revenues in that fund are insufficient to meet foundation program requirements."

Section 16. Section 20-9-501, MCA, is amended to read:

"20-9-501. Retirement fund. (1) The trustees of any district employing personnel who are members of the teachers' retirement system or the public employees' retirement system or who are covered by unemployment insurance or who are covered by any federal social security system requiring employer contributions shall establish a retirement fund for the purposes of budgeting and paying the

employer's contributions to such systems. The district's contribution for each employee who is a member of the teachers' retirement system shall be calculated in accordance with Title 19, chapter 4, part 6. The district's contribution for each employee who is a member of the public employees' retirement system shall be calculated in accordance with 19-3-801. The district may levy a special tax to pay its contribution to the public employees' retirement system under the conditions prescribed in 19-3-204. The district's contributions for each employee covered by any federal social security system shall be paid in accordance with federal law and regulation. The district's contribution for each employee who is covered by unemployment insurance shall be paid in accordance with Title 39, chapter 51, part 11.

(2) The trustees of any district required to make a contribution to any such system shall include in the retirement fund of the preliminary budget the estimated amount of the employer's contribution and such additional moneys, within legal limitations, as they may wish to provide for the retirement fund cash reserve. After the final retirement fund budget has been adopted, the trustees shall pay the employer contributions to such systems in accordance with the financial administration provisions of this title.

(3) When the final retirement fund budget has been adopted, the county superintendent shall establish the levy requirement by:

(a) determining the sum of the moneys available to reduce the retirement fund levy requirement by adding:

(i) any anticipated moneys that may be realized in the retirement fund during the ensuing school fiscal year, including anticipated motor vehicle fees and reimbursement under the provisions of 61-3-532 and 61-3-536; ~~and~~

(ii) net proceeds for new production, as defined in 15-23-601; and

~~(ii)~~(iii) any cash available for reappropriation as determined by subtracting the amount of the end-of-the-year cash balance earmarked as the retirement fund cash reserve for the ensuing school fiscal year by the trustees from the end-of-the-year cash balance in the retirement fund. The retirement fund cash reserve shall not be more than 35% of the final retirement fund budget for the ensuing school fiscal year and shall be used for the purpose of paying retirement fund warrants issued by the district under the final retirement fund budget.

(b) subtracting the total of the moneys available for reduction of the levy requirement as determined in subsection (3)(a) from the budgeted amount for expenditures in the final retirement fund budget.

(4) The county superintendent shall total the net retirement fund levy requirements separately for all elementary school districts, all high school districts, and all community college districts of the county, including any prorated joint district or special educational cooperative agreement levy requirements, and shall report each such levy requirement to the county commissioners on the second Monday of August as the respective county levy requirements for elementary district, high school district, and community college district retirement funds. The county commissioners shall fix and set such county levy in accordance with 20-9-142.

(5) The net retirement fund levy requirement for a joint elementary district or a joint high school district shall be prorated to each county in which a part of such district is located in the same proportion as the district ANB of the joint district is distributed by pupil residence in each such county. The county superintendents of the counties affected shall jointly determine the net retirement fund levy requirement for each county as provided in 20-9-151.

(6) The net retirement fund levy requirement for districts that are members of special educational cooperative agreements shall be prorated to each county in which such district is located in the same proportion as the budget for the special education cooperative agreement of the district bears to the total budget of the cooperative. The county superintendents of the counties affected shall jointly determine the net retirement fund levy requirement for each county in the same manner as provided in 20-9-151 and fix and levy the net retirement fund levy for each county in the same manner as provided in 20-9-152."

Section 17. Section 20-10-144, MCA, is amended to read:

"20-10-144. Computation of revenues and net tax levy requirements for the transportation fund budget. Before the fourth Monday of July and in accordance with 20-9-123, the county superintendent shall compute the revenue available to finance the transportation fund budget of each district. The county superintendent shall compute the revenue for each district on the following basis:

(1) The "schedule amount" of the preliminary budget expenditures that is derived from the rate schedules in 20-10-141 and 20-10-142 shall be determined by adding the following amounts:

(a) the sum of the maximum reimbursable expenditures for all approved school bus routes maintained by the district (to determine the maximum reimbursable expenditure, multiply the applicable rate per bus mile by the total number of miles to be traveled during the ensuing school fiscal year on each bus route approved by the county transportation committee and maintained by such district); plus

(b) the total of all individual transportation per diem reimbursement rates for such district as determined from the contracts submitted by the district multiplied by the number of pupil-instruction days scheduled for the ensuing school attendance year; plus

(c) any estimated costs for supervised home study or supervised correspondence study for the ensuing school fiscal year; plus

(d) the amount budgeted on the preliminary budget for the contingency amount permitted in 20-10-143, except if such amount exceeds 10% of the total of subsections (1)(a), (1)(b), and (1)(c) or $100, whichever is larger, the contingency amount on the preliminary budget shall be reduced to such limitation amount and used in this determination of the schedule amount.

(2) The schedule amount determined in subsection (1) or the total preliminary transportation fund budget, whichever is smaller, shall be divided by 3 and the resulting one-third amount shall be used to determine the available state and county revenue to be budgeted on the following basis:

(a) the resulting one-third amount shall be the budgeted state transportation reimbursement, except that the state transportation

reimbursement for the transportation of special education pupils under the provisions of 20-7-442 shall be two-thirds of the schedule amount attributed to the transportation of special education pupils;

(b) the resulting one-third amount, except as provided for joint elementary districts in subsection (2)(e), shall be the budgeted county transportation reimbursement for elementary districts and shall be financed by the basic county tax under the provisions of 20-9-334;

(c) the resulting one-third amount multiplied by 2 shall be the budgeted county transportation reimbursement amount for high school districts financed under the provisions of subsection (5) of this section, except as provided for joint high school districts in subsection (2)(e), and except that the county transportation reimbursement for the transportation of special education pupils under the provisions of 20-7-442 shall be one-third of the schedule amount attributed to the transportation of special education pupils;

(d) when the district has a sufficient amount of cash for reappropriation and other sources of district revenue, as determined in subsection (3), to reduce the total district obligation for financing to zero, any remaining amount of such district revenue and cash reappropriated shall be used to reduce the county financing obligation in subsections (2)(b) or (2)(c) and, if such county financing obligations are reduced to zero, to reduce the state financial obligation in subsection (2)(a); and

(e) the county revenue requirement for a joint district, after the application of any district moneys under subsection (2)(d) above, shall be prorated to each county incorporated by the joint district in the same proportion as the ANB of the joint district is distributed by pupil residence in each such county.

(3) The total of the moneys available for the reduction of property tax on the district for the transportation fund shall be determined by totaling:

(a) anticipated federal moneys received under the provisions of Title I of Public Law 81-874 or other anticipated federal moneys received in lieu of such federal act; plus

(b) anticipated payments from other districts for providing school bus transportation services for such district; plus

(c) anticipated payments from a parent or guardian for providing school bus transportation services for his child; plus

(d) anticipated interest to be earned by the investment of transportation fund cash in accordance with the provisions of 20-9-213(4); plus

(e) anticipated motor vehicle fees and reimbursement under the provisions of 61-3-532 and 61-3-536; plus

(f) net proceeds for new production, as defined in 15-23-601; plus

~~(f)~~(g) any other revenue anticipated by the trustees to be earned during the ensuing school fiscal year which may be used to finance the transportation fund; plus

~~(g)~~(h) any cash available for reappropriation as determined by subtracting the amount of the end-of-the-year cash balance earmarked as the transportation fund cash reserve for the ensuing school fiscal

year by the trustees from the end-of-the-year cash balance in the transportation fund. Such cash reserve shall not be more than 20% of the final transportation fund budget for the ensuing school fiscal year and shall be for the purpose of paying transportation fund warrants issued by the district under the final transportation fund budget.

(4) The district levy requirement for each district's transportation fund shall be computed by:

(a) subtracting the schedule amount calculated in subsection (1) from the total preliminary transportation budget amount and, for an elementary district, adding such difference to the district obligation to finance one-third of the schedule amount as determined in subsection (2); and

(b) subtracting the amount of moneys available to reduce the property tax on the district, as determined in subsection (3), from the amount determined in subsection (4)(a) above.

(5) The county levy requirement for the financing of the county transportation reimbursement to high school districts shall be computed by adding all such requirements for all the high school districts of the county, including the county's obligation for reimbursements in joint high school districts.

(6) The transportation fund levy requirements determined in subsection (4) for each district and in subsection (5) for the county shall be reported to the county commissioners on the second Monday of August by the county superintendent as the transportation fund levy requirements for the district and for the county, and such levies shall be made by the county commissioners in accordance with 20-9-142."

NEW SECTION. Section 18. Codification instruction. Section 11 is intended to be codified as an integral part of Title 15, chapter 23, part 6, and the provisions of Title 15, chapter 23, part 6, apply to section 11."

Renumber: subsequent sections

7. Page 12, lines 14 and 15.
Following: "through" on line 14
Strike: "10"
Insert: "18"
Following: "1985." on line 14
Strike: "Section 11 and this section"
Insert: "Sections 19 and 20"

8. Page 12, line 16.
Following: "section"
Strike: "11"
Insert: "19"

And, as amended, do pass. Report adopted.

MOTIONS

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee of three to meet with a committee from the House of Representatives to confer on Senate amendments to HB 3. Motion carried unanimously.

The President appointed the following members:

Senator Haffey, Chairman
Senator McCallum
Senator Boylan

Senator Keating moved that if the Senate continues to have third reading prior to second reading that the agenda and the bill packets be arranged accordingly. Motion withdrawn.

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., March 13, 1985.

Motion carried.

Senate adjourned at 5:31 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

FIFTY-FOURTH LEGISLATIVE DAY

Helena, Montana
March 13, 1985

Senate Chambers
State Capitol

Senate convened at 3:05 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the fifty-third legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 3/13/85
Correctly printed and placed on the members' desks: SB 161, SB 390, SB 442, SB 461.
Correctly enrolled: SB 6, SB 7, SB 8, SB 14.
Considered correctly enrolled: SB 309.
Examined by the sponsor (Daniels) and found to be correct: SB 6.
Examined by the sponsor (Neuman) and found to be correct: SB 7.
Examined by the sponsor (Neuman) and found to be correct: SB 8.
Examined by the sponsor (Kolstad) and found to be correct: SB 14.

Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 3/13/85
HB 334, be concurred in. Report adopted.
HB 359, be concurred in. Report adopted.
HB 360, be concurred in. Report adopted.
HB 468, be concurred in. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stimatz, Chairman): 3/12/85
HB 57, be concurred in. Report adopted.
HB 65, third reading copy, be amended as follows:

1. Page 2.
Following: line 25, page 1
Strike: "NO LESS THAN 2 INCHES IN WIDTH"
Following: "OR"
Insert: "visibly displayed"

And, as amended, be concurred in. Report adopted.

HB 86, be concurred in. Report adopted.
HB 89, be concurred in. Report adopted.

JUDICIARY (Mazurek, Chairman): 3/13/85
SJR 31, do pass. Report adopted.
HB 300, be concurred in. Report adopted.
HB 365, be concurred in. Report adopted.
HB 790, be concurred in. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Lynch, Chairman): 3/12/85
HB 272, be concurred in. Report adopted.
HB 387, be concurred in. Report adopted.
HB 467, be concurred in. Report adopted.

LOCAL GOVERNMENT (Fuller, Chairman): 3/12/85

HB 345, be concurred in. Report adopted.
HB 379, be concurred in. Report adopted.
HB 431, be concurred in. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 3/13/85
HB 256, be concurred in. Report adopted.
HB 302, be concurred in. Report adopted.
HB 351, be concurred in. Report adopted.
HB 389, third reading copy, be amended as follows:

1. Page 2.
Following: line 20
Strike: "on a one-time basis"

2. Page 3, lines 2 and 3.
Following: "and" on line 2
Strike: remainder of line 2 through "that" on line 3

And, as amended, be concurred in. Report adopted.

HB 482, be concurred in. Report adopted.

Adverse Committee Reports

JUDICIARY (Mazurek, Chairman): 3/13/85
HB 726, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Daniels, Shaw, Towe.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bills concurred in and returned to the Senate: 3/12/85

SB 1, introduced by Christiaens

SB 17, introduced by Goodover

SB 39, introduced by Mazurek

SB 40, introduced by Mazurek

SB 60, introduced by Mazurek

SB 115, introduced by Manning

SB 120, introduced by Boylan, et al.

SB 123, introduced by Eck, et al.

SB 124, introduced by Himsl

SB 139, introduced by Thayer, Christiaens

SB 143, introduced by Mazurek

Senate bill concurred in as amended and returned to the Senate for concurrence in House amendments: 3/12/85

SB 157, introduced by Lybeck, et al.

Senate bill not concurred in and returned to the Senate: 3/13/85

SB 254, introduced by Eck, et al.

House bill passed and transmitted to the Senate for concurrence: 3/12/85

HJR 36, introduced by Grady, et al.

MOTIONS

Senator Mazurek moved that HB 425 be taken from the Committee on Judiciary and that it be rereferred to the Committee on Taxation. Motion carried unanimously.

FIRST READING OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SB 466, introduced by Towe. Referred to Committee on Taxation.

The following House bill was introduced, read first time, and referred to committee:

HJR 36, introduced by Grady, Hart, Phillips, Ream, Ellison, Jenkins, McCormick, Rapp-Svrcek, Hanson, Montayne, Eudaily, Pavlovich, J. Moore, (By Request of the House Fish and Game Committee). Referred to Committee on Fish and Game.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 280 passed as follows:

Ayes: Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Shaw, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 40

Noes: Aklestad, Goodover, Harding, Keating, Kolstad, McCallum, Severson, Stephens.
Total 8

Excused: None.
Total 0

Absent or not voting: Blaylock, Smith.
Total 2

SB 400 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Keating, Neuman.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 85 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Brown, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 42

Noes: Blaylock, Boylan, Christiaens, Gage, Hammond, Hirsch, Neuman, Thayer.
Total 8

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 146 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 159 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens,

Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Neuman.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 166 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Fuller.
Total 1

HB 196 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 216 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 217 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 260 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 268 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.

Total 0

Absent or not voting: None.
Total 0

HB 474 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Neuman.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 1 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Regan.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Lynch in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 67 - That SB 67, second reading copy, be amended.

Senator Towe moved that the amendment be divided. Senator Gage objected to dividing the amendment. The Chair ruled that the amendment would be divided.

That SB 67, second reading copy, be amended as follows:

4. Page 1, line 21.
Following: "LAND"
Insert: ", house, or other improvements"

5. Page 1, line 22.
Following: "LOCATED."
Insert: "In no event may the sewage disposal or domestic water supply systems be included twice by including them in the valuation and assessing them separately."

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That SB 67, second reading copy, be further amended as follows:

1. Title, line 10.
Following: "EXEMPTING"
Strike: "CERTAIN"

2. Title, line 11.
Following: "EQUIPMENT"
Strike: "ON"
Insert: "IN"

3. Title, line 12.
Following: "TAXATION;"
Strike: "AMENDING SECTION 15-23-611, MCA;"

6. Page 1, line 23.
Following: "equipment"
Strike: "on"
Insert: "in"

7. Page 1, line 24.
Following: "~~All down-hole~~"
Strike: "DOWN-HOLE"
Insert: "All down-hole"

8. Page 1, line 24.
Following: "on"
Insert: "in"

9. Page 1, line 25 through line 1, page 2.
Following: "taxation" on line 25
Strike: remainder of line 25 through "15-23-611" on line 1

10. Page 2.

Following: line 1
Strike: section 3 in its entirety
Renumber: subsequent sections
Strike: "NEW SECTION." appropriately before sections 1 and 2 and 3 through 5

11. Page 2, line 20.
Following: "~~are~~"
Strike: "SECTION 1 IS"
Insert: "Sections 1 and 2 are"

12. Page 2, line 21.
Following: "~~6~~"
Strike: "7"
Insert: "6"

13. Page 2, line 22.
Following: "~~sections~~"
Strike: "SECTION"
Insert: "sections"
Following: "~~and 2~~"
Insert: "and 2"

14. Page 2.
Following: line 22
Strike: lines 23 through 25 in their entirety

15. Page 3, line 2.
Following: "approval"
Insert: "."

16. Page 3.
Following: line 2
Strike: "and"
Insert: "Section 1"

17. Page 3, line 4.
Following: "1985."
Insert: "Section 2 is applicable to taxable years beginning after December 31, 1984."

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, Lane, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 26

Noes: Blaylock, Conover, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 23

Excused: None.
Total 0

Absent or not voting: Daniels.
Total 1

That SB 67, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 68 - That House amendments to SB 68 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 283 - That HB 283 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 263 - That HB 263 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch,

Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50.

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 289 - That HB 289 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 299 - That HB 299 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 526 - That HB 526 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 547 - That HB 547 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 588 - That HB 588 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 644 - That HB 644 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 729 - That HB 729 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Lynch moved the adoption of the committee report. Report adopted.

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., March 14, 1985.

Motion carried.

Senate adjourned at 4:29 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

FIFTY-FIFTH LEGISLATIVE DAY

Helena, Montana
March 14, 1985

Senate Chambers
State Capitol

Senate convened at 3:00 p.m., President Norman presiding. Invocation by the Chaplain, Pastor Monsen. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the fifty-fourth legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 3/14/85
Correctly printed and placed on the members' desks: SJR 31.
Correctly engrossed: SB 67.
Signed by the President at 3:30 p.m., 3/13/85: SB 6, SB 7, SB 8, SB 14, HB 43, HB 52.
Signed by the President at 11:30 a.m., 3/14/85: HB 98, HB 104, HB 125, HB 128, HB 134, HB 139, HB 169, HB 182, HB 210, HB 213, HB 232, HB 246, HB 258, HB 266, HB 306, HB 321, HB 336, HB 372, HB 390, HB 595, HB 715, HJR 2, HJR 8.
Delivered to the Governor for his approval at 11:30 a.m., 3/14/85: SB 6, SB 7, SB 8, SB 14.

Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 3/14/85
HB 380, be concurred in. Report adopted.
HB 852, be concurred in. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman): 3/13/85

HB 114, third reading copy, be amended as follows:

1. Page 2, line 19.
Following: "~~(1)~~"
Insert: "(1)"

2. Page 2.
Following: line 24
Insert: "(2) Any rule relating to the design, construction, reconstruction, alteration, conversion, repair, inspection, or use of buildings or installation of equipment in buildings is effective only when it has been adopted by the department of administration as part of the state building code and filed with the secretary of state pursuant to 50-60-204."

And, as amended, be concurred in. Report adopted.

HB 649, third reading copy, be amended as follows:

1. Page 12, line 14.
Following: "appointment."
Insert: "Within 60 days after the [effective date of this act] the governor shall replace one of the three denturists appointed to the initial board with a dentist member."

And, as amended, be concurred in. Report adopted.

HB 748, be concurred in. Report adopted.
HB 817, third reading copy, be amended as follows:

1. Title.
Following: line 10
Insert: "INSURANCE ARRANGEMENT,"

2. Page 2.
Following: line 17
Insert: "(6) "Insurance arrangement" means any plan, program, contract, or other arrangement to the extent not exempt from inclusion by virtue of the provisions of the federal Employee Retirement Income Security Act of 1974 under which one or more employers, unions, or other organizations provide to their employees or members, either directly or indirectly through a trust of a third-party administrator, health care services or benefits other than through an insurer."
Renumber: subsequent subsections

3. Page 3, lines 7 through 14.
Following: "~~benefits~~" in line 7
Strike: remainder of line 7 through line 14
Insert: "those health benefit plans certified by the commissioner as providing the minimum benefits required by [section 6] or the actuarial equivalent of those benefits."

4. Page 4, line 16.
Following: "insurers,"
Insert: "insurance arrangements,"

And, as amended, be concurred in. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 3/14/85
HB 463, be concurred in. Report adopted.
HB 464, be concurred in. Report adopted.
HB 488, third reading copy, be amended as follows:

1. Title, line 8.
Following: "COMMITTEE"
Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 4.
Following: line 6
Insert: "NEW SECTION. Section 5. Effective date. This act is effective on passage and approval."

And, as amended, be concurred in. Report adopted.

HB 732, be concurred in. Report adopted.

TAXATION (Towe, Chairman): 3/13/85
SB 234, introduced bill, be amended as follows:

1. Title, line 4.
Following: "TO"
Strike: "PROHIBIT"
Insert: "DIRECT"

2. Title, line 5.
Following: "REVENUE"

Strike: "FROM USING REPLACEMENT COST AS A"
Insert: "TO USE CERTAIN SUBSTITUTES"

3. Title.
Following: line 5
Strike: "SUBSTITUTE"
Following: "APPRAISING"
Insert: "AND ASSESSING"

4. Title, line 7.
Following: "PURPOSES;"
Insert: "PROVIDING AN EXEMPTION FOR CERTAIN PROPERTIES;"
Following: "AMENDING"
Strike: "SECTION"
Insert: "SECTIONS 15-6-201 AND"
Following: "MCA"
Insert: "; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE"

5. Page 1.
Following: line 7
Insert: "WHEREAS, the appraisal and assessment of agricultural implements and machinery could be accomplished most efficiently and equitably by the use of the Official Guide, Tractor and Farm Equipment, published by the National Farm and Power Equipment Dealers Association, St. Louis, Missouri; and

WHEREAS, the most accurate reflection of market value of agricultural implements and machinery listed by the above official guide is that of loan value as compared to wholesale value in other national guides."

6. Page 1, line 19.
Following: "(b)"
Strike: "The"
Insert: "Except as provided in subsection (3), the"

7. Page 2, lines 3 through 12.
Following: "(3)" on line 3
Strike: remainder of line 3 through line 12
Insert: "The department of revenue or its agents may not adopt a lower or different standard of value from market value in making the official assessment and appraisal of the value of property in 15-6-134 through 15-6-140, except:

(a) the wholesale value for agricultural implements and machinery is the loan value as shown in the Official Guide, Tractor and Farm Equipment, published by the national farm and power equipment dealers association, St. Louis, Missouri; and

(b) for agricultural implements and machinery not listed in the official guide, the department shall prepare a supplemental manual where the values reflect the same depreciation as those found in the official guide."

8. Page 2, line 13.
Strike: "(b)"
Insert: "(4)"
Renumber: subsequent subsections

9. Page 3.

Following: line 14
Insert: "Section 2. Section 15-6-201, MCA, is amended to read:

"15-6-201. Exempt categories. (1) The following categories of property are exempt from taxation:

(a) the property of:

(i) the United States, the state, counties, cities, towns, school districts;

(ii) irrigation districts organized under the laws of Montana and not operating for profit;

(iii) municipal corporations; and

(iv) public libraries;

(b) buildings, with land they occupy and furnishings therein, owned by a church and used for actual religious worship or for residences of the clergy, together with adjacent land reasonably necessary for convenient use of such buildings;

(c) property used exclusively for agricultural and horticultural societies, for educational purposes, and for hospitals;

(d) property that meets the following conditions:

(i) is owned and held by any association or corporation organized under Title 35, chapter 2, 3, 20, or 21;

(ii) is devoted exclusively to use in connection with a cemetery or cemeteries for which a permanent care and improvement fund has been established as provided for in Title 35, chapter 20, part 3; and

(iii) is not maintained and operated for private or corporate profit;

(e) institutions of purely public charity;

(f) evidence of debt secured by mortgages of record upon real or personal property in the state of Montana;

(g) public art galleries and public observatories not used or held for private or corporate profit;

(h) all household goods and furniture, including but not limited to clocks, musical instruments, sewing machines, and wearing apparel of members of the family, used by the owner for personal and domestic purposes or for furnishing or equipping the family residence;

(i) a truck canopy cover or topper weighing less than 300 pounds and having no accommodations attached. Such property is also exempt from the fee in lieu of tax.

(j) a bicycle, as defined in 61-1-123, used by the owner for personal transportation purposes;

(k) automobiles and trucks having a rated capacity of three-quarters of a ton or less;

(l) fixtures, buildings, and improvements owned by a cooperative association or nonprofit corporation organized to furnish potable water to its members or customers for uses other than the irrigation of agricultural land;

(m) the right of entry that is a property right reserved in land or received by mesne conveyance (exclusive of leasehold interests), devise, or succession to enter land whose surface title is held by another to explore, prospect, or dig for oil, gas, coal, or minerals; ~~and~~

(n) property owned and used by a corporation or association organized and operated exclusively for the care of the developmentally disabled, mentally ill, or vocationally handicapped as defined in 18-5-101, which is not operated for gain or profit~~.~~; and

(o) all farm buildings with a market value of less than $500 and all agricultural implements and machinery with a market value of less than $100.

(2) (a) The term "institutions of purely public charity" includes organizations owning and operating facilities for the care of the retired or aged or chronically ill, which are not operated for gain or profit.

(b) The terms "public art galleries" and "public observatories" include only those art galleries and observatories, whether of public or private ownership, that are open to the public without charge at all reasonable hours and are used for the purpose of education only.

(3) The following portions of the appraised value of a capital investment made after January 1, 1979, in a recognized nonfossil form of energy generation, as defined in 15-32-102, are exempt from taxation for a period of 10 years following installation of the property:

(a) $10,000 in the case of a single-family residential dwelling;

(b) $100,000 in the case of a multifamily residential dwelling or a nonresidential structure.""

Renumber: subsequent section

7. Page 3.
Following: line 18
Insert: "NEW SECTION. Section 4. Effective date — applicability. This act is effective on passage and approval and is applicable to tax years beginning after December 31, 1985."

And, as amended, do pass. Report adopted.

SB 455, introduced bill, be amended as follows:

1. Title, line 12.
Following: "PROGRAM;"
Insert: "PROVIDING FOR A DIFFERENT DISTRIBUTION FORMULA FOR FISCAL YEARS 1986 AND 1987 TO INSURE THAT NO COUNTY RECEIVES LESS THAN 90 PERCENT OF THE AMOUNT DISTRIBUTED TO IT IN 1983 AND 1984;"

2. Title, line 15.
Following: "MCA"
Insert: ", AND THOSE DEDUCTIONS PROVIDED FOR IN THE INTERNAL REVENUE CODE, EXCEPT FOR CERTAIN DEDUCTIONS FOR DIVIDENDS"

3. Title, line 23.
Following: "PROVIDING AN"
Strike: "IMMEDIATE"

4. Page 2, line 23.

Following: "MCA,"
Insert: "and those deductions provided for in the Internal Revenue Code, except for certain deductions for dividends,"

5. Page 2, line 24 through line 1, page 3.
Following: "income" on line 24
Strike: remainder of line 24 through "MCA" on line 1, page 3

6. Page 5, line 2.
Following: "basis."
Insert: "However, for fiscal years 1986 and 1987, no county shall receive less than 90% of the average annual amount of corporation license and income taxes received by such county for the fiscal years 1983 and 1984 from distribution pursuant to 15-31-702. If per capita distribution would result in a county receiving less than such guaranteed 90%, the per capita distribution of 8.86% shall be adjusted accordingly so that no county receives less than its guaranteed 90% for fiscal years 1986 and 1987, provided sufficient revenues exist. This adjustment shall be made by the department to preserve a proportionate, per capita distribution among those counties receiving more than their 90% guaranteed amount. The adjustment shall also not result in distributing more than 8.86% of corporation license and income taxes to all counties."

7. Page 8, lines 14 through 16.
Following: "15-3-114" on line 14
Strike: remainder of line 14 through line 16
Insert: "and those deductions provided for in the Internal Revenue Code, except for the special dividend deductions provided for by sections 243 a(1) and (3), 244, and 245 of the Internal Revenue Code (or as those sections may be amended or renumbered) which are specifically denied as deductions. Those deductions in 15-31-114 that reference the Internal Revenue Code shall use the Internal Revenue Code in effect for the taxable year."

8. Page 21, line 13.
Following: "effective"
Strike: "on passage and approval"
Insert: "July 1, 1985"

And, as amended, do pass. Report adopted.

HB 339, be concurred in. Report adopted.
HB 373, be concurred in. Report adopted.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 3/13/85

HB 844, introduced by Patterson, et al.

HJR 22, introduced by Raney, et al.

MOTIONS

Senator Neuman moved that consideration on HB 227 be passed until the 56th legislative day, 3/15/85. Motion carried unanimously.

FIRST READING OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 844, introduced by Patterson, Asay, Hannah, D. Brown, Spaeth, Keller, Devlin, Jenkins, Hager, Switzer, Nathe, Cobb, Keating, Grady, Ernst, Glaser, Bengtson. Referred to Committee on Taxation.

HJR 22, introduced by Raney, Harbin, Asay, O'Hara, Ream, J. Moore, Harper, Fritz, Nathe, Miles, Addy, Brandewie, Kitselman, Rehberg, Ellison, Harp, Cohen, Christiaens, Mohar, Zabrocki, Keenan, Blaylock, Bardanouve, Van Valkenburg, Bradley, Patterson, Darko, D. Brown, Gould, Iverson, Cody, Severson, Mazurek, Gilbert, Schye, Conover, Gage, Stephens, Krueger, Spaeth. Referred to Committee on Education and Cultural Resources.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 309 passed as follows:

Ayes: Anderson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 40

Noes: Aklestad, Bengtson, Boylan, Hammond, Himsl, Keating, McCallum, Shaw, Thayer.
Total 9

Excused: None.
Total 0

Absent or not voting: Galt.
Total 1

HB 209 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Galt.
Total 1

HB 333 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz,

Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Hager, McCallum.
Total 2

Excused: None.
Total 0

Absent or not voting: Galt.
Total 1

HB 367 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Galt.
Total 1

HB 416 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 543 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 755 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of Senator Smith, and without objection, Senator Smith's vote on HB 333 be recorded as yes.

At the request of Senator Weeding, and without objection, Senator Weeding's vote on HB 543 be recorded as yes.

At the request of Senator Smith, and without objection, Senator Smith's vote on HB 755 be recorded as yes.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Smith in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 442 - At the request of Senator Brown, and without objection, SB 442 be placed above SB 390.

SB 161 - That SB 161 do pass. Motion carried as follows:

Ayes: Bengtson, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Haffey, Halligan, Hammond, Harding, Jacobson, Lane, Lybeck, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Towe, Van Valkenburg, Weeding, Yellowtail.
Total 25

Noes: Aklestad, Anderson, Blaylock, Boylan, Daniels, Gage, Goodover, Hager, Himsl, Hirsch, Keating, Kolstad, Lynch, Manning, McCallum, Shaw, Smith, Stephens, Stimatz, Story, Tveit, Williams, Mr. President.

Total 23

Excused: None.
Total 0

Absent or not voting: Galt, Thayer.
Total 2

SB 442 - That SB 442 do pass. Motion failed as follows:

Ayes: Bengtson, Brown, Christiaens, Conover, Crippen, Eck, Fuller, Haffey, Halligan, Hammond, Lane, Lybeck, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Towe, Van Valkenburg, Weeding, Yellowtail.
Total 22

Noes: Aklestad, Anderson, Blaylock, Boylan, Farrell, Gage, Goodover, Hager, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lynch, Manning, McCallum, Shaw, Smith, Stephens, Stimatz, Story, Tveit, Williams, Mr. President.
Total 25

Excused: None.
Total 0

Absent or not voting: Daniels, Galt, Thayer.
Total 3

Senator Lynch moved that SB 442 be indefinitely postponed. Motion failed as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Farrell, Gage, Goodover, Hager, Harding, Hirsch, Keating, Kolstad, Lynch, Manning, McCallum, Severson, Shaw, Smith, Stephens, Stimatz, Story, Tveit.
Total 22

Noes: Bengtson, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Haffey, Halligan, Hammond, Himsl, Jacobson, Lane, Lybeck, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 26

Excused: None.
Total 0

Absent or not voting: Galt, Thayer.
Total 2

SB 390 - That SB 390, second reading copy, be amended. Senator Neuman made a substitute motion that consideration on SB 390 be passed. Substitute motion carried as follows:

Ayes: Blaylock, Christiaens, Daniels, Eck, Fuller, Hager, Himsl, Hirsch, Jacobson, Lane, Manning, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 24

Noes: Aklestad, Anderson, Bengtson, Boylan, Conover, Crippen, Farrell, Gage, Goodover, Hammond, Harding, Keating, Kolstad, Lybeck, Mazurek, McCallum, Smith, Stephens, Story, Thayer, Tveit.
Total 21

Excused: None.
Total 0

Absent or not voting: Brown, Galt, Haffey, Halligan, Lynch.
Total 5

Senators Goodover, Kolstad, Neuman, Shaw, and Weeding excused at this time.

SB 461 - That SB 461 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Goodover, Kolstad, Neuman, Shaw, Weeding.
Total 5

Absent or not voting: None.
Total 0

SB 157 - That House amendments to SB 157 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Goodover, Kolstad, Neuman, Shaw, Weeding.
Total 5

Absent or not voting: None.
Total 0

HB 181 - That HB 181 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Goodover, Kolstad, Neuman, Shaw, Weeding.
Total 5

Absent or not voting: None.
Total 0

HB 257 - That HB 257, third reading copy, be amended. Senator Tveit made a substitute motion that HB 257 be moved to the bottom of the board. Substitute motion carried unanimously.

HB 323 - That HB 323 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Goodover, Kolstad, Neuman, Shaw, Weeding.
Total 5

Absent or not voting: None.
Total 0

HB 337 - That HB 337 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Goodover, Kolstad, Neuman, Shaw, Weeding.
Total 5

Absent or not voting: None.
Total 0

HB 361 - That HB 361 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Goodover, Kolstad, Neuman, Shaw, Weeding.
Total 5

Absent or not voting: None.
Total 0

HB 362 - That HB 362 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Goodover, Kolstad, Neuman, Shaw, Weeding.
Total 5

Absent or not voting: None.
Total 0

HB 432 - That HB 432 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Goodover, Kolstad, Neuman, Shaw, Weeding.
Total 5

Absent or not voting: None.
Total 0

HB 523 - That HB 523 be concurred in. Senator Crippen made a substitute motion that consideration on HB 523 be passed. Substitute motion carried unanimously.

HB 524 - That HB 524 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Goodover, Kolstad, Neuman, Shaw, Weeding.
Total 5

Absent or not voting: None.
Total 0

HB 566 - That HB 566 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar,

Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Goodover, Kolstad, Neuman, Shaw, Weeding.
Total 5

Absent or not voting: None.
Total 0

HB 582 - That HB 582, Senate Standing Committee Report of 3/11/85, be amended as follows:

1. Amendment No. 4.
Strike: Amendment No. 4 in its entirety

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Goodover, Kolstad, Neuman, Shaw, Weeding.
Total 5

Absent or not voting: None.
Total 0

That HB 582, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Goodover, Kolstad, Neuman, Shaw, Weeding.
Total 5

Absent or not voting: None.
Total 0

HB 257 - Senator Tveit moved that consideration on HB 257 be passed. Motion carried unanimously.

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Smith moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 3/14/85

Correctly enrolled: SB 1, SB 5, SB 17, SB 24, SB 39, SB 40, SB 60, SB 78, SB 87, SB 115, SB 120, SB 123, SB 124, SB 139, SB 143, SJR 8, SJR 23.

Examined by the sponsor (Christiaens) and found to be correct: SB 1.
Examined by the sponsor (Daniels) and found to be correct: SB 5.
Examined by the sponsor (Goodover) and found to be correct: SB 17.
Examined by the sponsor (Towe) and found to be correct: SB 24.
Examined by the sponsor (Mazurek) and found to be correct: SB 39.
Examined by the sponsor (Mazurek) and found to be correct: SB 40.
Examined by the sponsor (Mazurek) and found to be correct: SB 60.
Examined by the sponsor (Tveit) and found to be correct: SB 78.
Examined by the sponsor (Mazurek) and found to be correct: SB 87.
Examined by the sponsor (Manning) and found to be correct: SB 115.
Examined by the sponsor (Boylan) and found to be correct: SB 120.
Examined by the sponsor (Eck) and found to be correct: SB 123.
Examined by the sponsor (Himsl) and found to be correct: SB 124.
Examined by the sponsor (Thayer) and found to be correct: SB 139.
Examined by the sponsor (Mazurek) and found to be correct: SB 143.
Examined by the sponsor (Story) and found to be correct: SJR 8.
Examined by the sponsor (Haffey) and found to be correct: SJR 23.

BUSINESS AND INDUSTRY (Halligan, Chairman): 3/11/85

SB 208, introduced bill, be amended as follows:

1. Title, line 7.
Following: "AN"
Insert: "IMMEDIATE"

2. Page 2, line 9.
Following: "chapter"
Insert: "or any other agricultural loan for which a guaranty has been approved by the authority"

3. Page 6, line 18.
Following: "effective"
Strike: "July 1, 1985"
Insert: "on passage and approval"

And, as amended, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
SB 208

Section 1. A statement of intent is required for this bill because it delegates authority to the agricultural loan authority to adopt rules concerning loan guaranties. The legislature intends that in adopting rules the authority look to existing rules established by the Montana economic development board, on which the authority contained in this bill is patterned.

Section 2. It is the intent of the legislature that the agricultural loan authority prepare rules to establish the loan guaranty program authorized in Senate Bill 208 by addressing and providing for the following terms and conditions:

(1) Banks and other financial institutions should be required to participate in any guaranty program. It is suggested that the normal participation

would be a minimum of 20% by the bank or other financial institution and 80% affected by the state guaranty authorized under Senate Bill 208.

(2) A program for guaranteeing existing operating loans made by existing banks and other financial institutions should be considered, provided all other conditions are met, including: (a) an equity in real estate or other comparable property is obtained; (b) the guaranty does not extend beyond 10 years; and (c) the bank or other financial institution agrees to reduce the interest rate to at least no higher than the rate on federal obligations for comparable maturities.

(3) Any loan guaranteed under the provisions of Senate Bill 208 should be supported by a mortgage on real estate or a lien on other comparable property.

(4) An appraisal by a qualified appraiser should be required. The loan or guaranty secured by mortgage on real estate or other comparable property should not exceed, when taken in conjunction with any prior mortgages or obligations on the real estate, 65% of the appraised value of the property pledged as security.

(5) Before any loan can be guaranteed pursuant to Senate Bill 208, the applicant should provide the agricultural loan authority with sufficient information to show that he can reasonably expect a positive cash flow from the normal operation of the agriculture enterprise. The agricultural loan authority may require a surplus cash flow by rules properly adopted.

(6) The agricultural loan authority should not guarantee loans that exist for more than 10 years.

(7) The guaranties provided in Senate Bill 208 should be targeted primarily for existing farmers and ranchers who own agricultural land on which their farming and ranching is located and whose total debt from that agricultural operation equals between 40% and 60% of their total farm and ranch assets.

(8) The department of agriculture and the agricultural loan authority should retain persons with sufficient experience in agricultural credit to adequately review all applications made for guaranty under Senate Bill 208. They shall take such time in implementing this program as may be necessary to guarantee that it will operate smoothly and properly without undue exposure or risk of loss. Experienced lenders who know and understand the Montana agricultural situation are absolutely critical to the success of this program.

(9) The bank or financial institution that originated the guaranteed loan must initiate the appropriate action to liquidate the property pledged as security. The costs of liquidation should be shared pro rata at the same rate as participation in the guaranty program.

SB 425, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
SB 425

A statement of intent is required for this bill because rulemaking authority is granted to the Montana agricultural loan authority (MALA) in sections 5, 6, 8, and 10.

It is the intent of the legislature that MALA adopt rules for the orderly handling and processing of investments made with the coal tax trust money deposited in the agricultural authority investment fund. MALA should operate in a similar fashion as the Montana economic development board. However, the investments must be in agriculture, and the concern must be for economic stabilization as well as economic stimulation. The investments are intended to increase the amount of available capital for farm operations by providing a new source of investment capital.

It is the intent of the legislature that MALA should establish rules for the investment of money in banks, with the agreement that the banks will in turn loan an equal amount of money to farmers at the banks' risk. The investment of money in the banks should provide the liquidity necessary for the banks to make these loans.

It is the intent of the legislature that the state is morally obligated to back the sale of bonds, as set forth in section 7.

It is the intent of the legislature that MALA establish separate standards for determining eligibility for those persons receiving loans with money backed by the agricultural authority investment fund. However, in no event should the standards be less than those required for loans guaranteed under Senate Bill No. 208. The legislature recognizes the overly restrictive regulations placed upon applicants for loans financed by bonds sold by MALA. Therefore, the standards placed upon applicants for loans backed by the investment fund are not limited by federal regulations but by statutory limits enacted by the Montana legislature and interpreted liberally.

SB 426, introduced bill, be amended as follows:

1. Title, line 6.
Following: "ACCOUNT;"
Insert: "AMENDING SECTIONS 80-11-207, 80-12-312, 81-8-608, AND 81-8-804, MCA;"

2. Title, line 7.
Following: "DATE"
Insert: "AND A TERMINATION DATE"

3. Page 1, line 12.
Following: "[section"
Strike: "4"
Insert: "3"

4. Page 2, line 4.
Strike: "[this act]"
Insert: "[sections 1 through 4]"

5. Page 2, line 5.
Strike: "[this act]"
Insert: "[sections 1 through 4]"

6. Page 3, line 2.
Following: "[section"
Strike: "4"
Insert: "3"

7. Page 3, line 12.
Following: "[section"
Strike: "4"
Insert: "3"

8. Page 3, line 16.
Following: "[section"
Strike: "2"
Insert: "1"

9. Page 3, lines 17 and 18.
Following: "reserve account" on line 17
Strike: remainder of line 17 through "[section 1]" on line 18

10. Page 3, line 20.
Following: "[section"

Strike: "2"
Insert: "1"

11. Page 4, line 22.
Following: "account"
Insert: "authorized under 80-12-312"

12. Page 4, line 25.
Following: "used"
Strike: "solely"
Following: "for"
Insert: "the costs of collection of the assessment provided for in [section 1] and for"

13. Page 5.
Insert: "Section 5. Section 80-12-312, MCA, is amended to read:

"80-12-312. Reserve funds and appropriations. (1) The authority shall pay into one or more capital reserve accounts any:

(a) money appropriated and made available by the state for the purpose of the fund;

(b) proceeds of sale of bonds to the extent provided in the resolutions of the authority authorizing their issuance or in any trust indenture securing their repayment; and

(c) other money that may be available to the authority for the purpose of such a fund from any other source.

(2) ~~All~~ Except as provided in [section 4], all amounts held in a capital reserve account must be used solely for the payment of principal, interest, and a redemption premium with respect to bonds secured in whole or in part by the account. Funds in an account may not be withdrawn at any time in an amount that reduces the amount of the account to less than the minimum capital reserve requirement established for the account except for the purpose, with respect to bonds secured in whole or in part by the account, of making payment, when due, of principal, interest, or redemption premiums for the payment of which other money pledged is not available."

Section 6. Section 80-11-207, MCA, is amended to read:

"80-11-207. Buyer's delivery of invoice to grower — form — filing of sworn statement — payment of assessment — refund. (1) The purchaser of the wheat or barley at the time of sale or the pledgee, mortgagee, or other lender at the time of the loan or advance shall give separate invoices for each purchase to the grower. The invoices shall be on forms approved by the department and shall show:

(a) the name and address of the grower and seller;

(b) the name and address of the purchaser or the lender;

(c) the number of bushels of wheat or hundredweights of barley sold, mortgaged, or pledged;

(d) the date of the purchase, mortgage, or pledge and the amount of assessment collected and remitted to the department.

(2) The purchaser, mortgagee, or pledgee shall file with the department, on forms prescribed by the department, within 20 days after the end of a month in which he purchases a grower's wheat or barley or in which a lender makes a loan or advance on a grower's wheat

or barley, a sworn statement of the number of bushels of wheat or hundredweights of barley purchased in Montana or the number of bushels of wheat or hundredweights of barley mortgaged or pledged or otherwise transferred or liened as security for a loan during the preceding calendar month. At the time the sworn statement is filed, the purchaser or lender shall pay to the department the assessment provided for in 80-11-206 for deposit in the wheat research and marketing account in the other special revenue funds.

(3) The statement referred to in subsections (1) and (2) of this section shall be legibly written and shall be entirely free of any corrections or erasures. A person may not alter any part of a statement.

~~(4) After 30 days and before 90 days following the deduction of the assessment by the first purchaser or the first lender, the grower may, upon the submission of a written, verified request to the department, obtain a refund of the assessment. The request shall be accompanied by the original invoices received by the grower at the time of settlement. The department shall keep complete records of all refunds made under the provisions of this section. Records of refunds may be destroyed 2 years after the refund is made. All original invoices shall be returned to the grower with the refund payment.~~"

Section 7. Section 81-8-608, MCA, is amended to read:

"81-8-608. Purchaser's delivery of invoice to producers — form — filing of sworn statement — payment of assessment. (1) The purchaser of swine at the time of settlement shall make and deliver invoices for each purchase to the producer. Such invoices shall show:

(a) the name and address of the producer and purchaser;

(b) the number of swine sold;

(c) the date of the purchase and the amount of assessment collected and remitted to the department of livestock.

(2) The purchaser shall deliver to and have on file with the department on forms prescribed by the committee by the 20th day of each calendar month following any calendar month in which purchaser shall purchase swine of a producer, beginning on August 20, 1975, a sworn statement of the number of swine purchased in Montana during the preceding calendar month. At the time the sworn statement is filed, the purchaser shall pay and remit to the department the assessment provided for in this part for deposit in the swine research and marketing account.

(3) The statement referred to in subsections (1) and (2) of this section shall be legibly written and shall be entirely free of any corrections or erasures on the face thereof. Any person who shall alter any part of any statement shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished as is provided herein.

~~(4) Any time after 30 days from the deduction of the assessment and before the expiration of 90 days following such deduction by the purchaser, the producer may, upon the submission of a written, verified request therefor to the committee through the department, obtain a refund in the amount of the assessment deducted by said purchaser. The request shall be accompanied by the original invoices received by the producer at the time of settlement. The pork research and marketing committee shall keep complete records of all~~

~~refunds made under the provisions of this part. All original invoices shall be returned to the producer with the refund payments.~~"

Section 8. Section 81-8-804, MCA, is amended to read:

"81-8-804. Assessments — refunds. (1) There is levied, in addition to the tax on livestock prescribed in Title 15, chapter 24, part 9, a per head tax of 25 cents on each head of cattle that is more than 9 months of age and is owned or possessed within a county for the support and maintenance of research into beef production as provided in this part. The tax shall be paid to the county treasurer of that county on or before March 1 of each year.

(2) The tax required in subsection (1) must be paid for each head of cattle that is more than 9 months of age and is brought into the county after March 1 and is subject to taxation and assessment under 15-24-301.

(3) Each county is entitled to receive $250 annually as reimbursement for the administration of this section.

~~(4) A person who has paid the tax required by this section may obtain a refund of the tax upon submission of a written request to the department. The application must be made within 30 days after the payment of the tax and on forms furnished by the department. The department shall, upon receipt of a timely and otherwise properly submitted refund request, refund the tax.~~"

NEW SECTION. Section 9. Extension of authority. Any existing authority of the agricultural loan authority to make rules on the subject of the provisions of this act is extended to the provisions of this act."

Renumber: subsequent sections

14. Page 5, line 6.
Following: "instruction."
Strike: "This act"
Insert: "Sections 1 through 4"

15. Page 5, line 9.
Following: "to"
Strike: "this act"
Insert: "Sections 1 through 4"

16. Page 5, line 10.
Following: "date"
Insert: "— termination"
Following: "."
Insert: "(1)"

17. Page 5, line 13.
Following: "void."
Insert: "(2) This act terminates on July 1, 1987."

And, as amended, do pass. Report adopted.

MOTIONS

Senator Van Valkenburg moved that SB 442 be taken from second reading and that it be rereferred to the Committee on Taxation. Motion carried unanimously.

Senator Mazurek moved that SB 390 be taken from second reading and that it be rereferred to the Committee on Taxation. Motion carried unanimously.

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., March 15, 1985.

Motion carried.

Senate adjourned at 5:32 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

FIFTY-SIXTH LEGISLATIVE DAY

Helena, Montana
March 15, 1985

Senate Chambers
State Capitol

Senate convened at 3:00 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Crippen, Goodover, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the fifty-fifth legislative day, find the same to be correct.

Manning, Chairman

COMMUNICATIONS AND PETITIONS

OFFICE OF THE
SECRETARY OF STATE

United States of America,)
) ss.
State of Wyoming)

I, THYRA THOMSON, Secretary of State of the State of Wyoming, do hereby certify that the attached is a true and correct copy of Enrolled Joint Resolution No. 2 of the Wyoming House of Representatives relating to railroad rates, which is being forwarded to you in accordance with the instructions of the Wyoming State Legislature.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Wyoming. Done at Cheyenne, the Capital, this 7th day of March A.D. 1985.

THYRA THOMSON
Secretary of State
by Linda Norman

ENROLLED JOINT RESOLUTION NO. 2, HOUSE OF REPRESENTATIVES

FORTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
1985 GENERAL SESSION

A JOINT RESOLUTION relating to railroad rates; requesting Congress to enact legislation to protect captive shippers from unreasonable rates charged by railroads having a monopoly and to establish procedures to require such railroads to show the reasonableness of rates charged.

WHEREAS, Congress enacted the Staggers Rail Act of 1980 to provide for the deregulation of competitive rail traffic; and

WHEREAS, Congress in the Staggers Rail Act also provided certain protections for captive shippers against the exercise of monopoly power by the railroads; and

WHEREAS, the Interstate Commerce Commission has failed to implement the protections for captive shippers provided in the Staggers Rail Act; and

WHEREAS, the Interstate Commerce Commission has implemented the Staggers Rail Act in such a way that captive shippers cannot effectively challenge the reasonableness of rail rates; and

WHEREAS, the uncontrolled exercise of monopolistic pricing power by railroads has resulted in excessive rates and has seriously affected the markets for coal, trona, agricultural and other products and other commodities produced in Wyoming and other states; and

WHEREAS, the demand for Wyoming coal and other commodities will continue to be depressed by unreasonably high rail rates, thereby affecting the Wyoming economy generally through the loss of jobs and tax revenues; and

WHEREAS, the protection of captive shippers is not inconsistent with the maintenance of a strong and viable railroad system;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE LEGISLATURE OF THE STATE OF WYOMING:

Section 1. That the members of the Wyoming legislature urge Congress to enact legislation that will provide captive shippers with workable protections against unreasonably high rates imposed by railroads exercising monopolistic powers and establish fair and equitable procedures which require the railroads to establish the reasonableness of such rates or which allow effective competition so the free market may establish more reasonable rates.

Section 2. That the Secretary of State transmit copies of this resolution to the Secretary of State and presiding officers of the houses of the legislature of each of the other states in the Union, to the President, and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from Wyoming in the Congress of the United States, to the clerk of the United States House of Representatives and to the Secretary of the United States Senate.

OFFICE OF THE
SECRETARY OF STATE

United States of America,)
) ss.
State of Wyoming)

I, THYRA THOMSON, Secretary of State of the State of Wyoming, do hereby certify that the attached is a true and correct copy of Enrolled Joint Resolution No. 4 of the Wyoming Senate relating to Water Resources Development in the Yellowstone River Basin, which is being forwarded to you in accordance with the instructions of the Wyoming State Legislature.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Wyoming. Done at Cheyenne, the Capital, this 7th day of March A.D. 1985.

THYRA THOMSON
Secretary of State
by Linda Norman

ENROLLED JOINT RESOLUTION NO. 4, SENATE

FORTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
1985 GENERAL SESSION

A JOINT RESOLUTION initiating a cooperative effort to resolve problems associated with water resources development in the Yellowstone River Basin by the States of Wyoming and Montana.

WHEREAS, water development is essential to the economic development of the States of Wyoming and Montana;

WHEREAS, the federal government is reducing its technical, planning and financial support for the development of water projects in the West;

WHEREAS, the States of Wyoming and Montana share a common interest in developing for beneficial use the waters of the Yellowstone River Basin;

WHEREAS, there are water development issues which need to be resolved;

WHEREAS, there are opportunities to develop water projects of mutual benefit to Wyoming and Montana;

WHEREAS, water development involves a series of environmental, planning and financial decisions.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF WYOMING: that the Governor of Wyoming continue the discussions with the State of Montana to initiate and develop water management programs for the Yellowstone River Basin;

IT IS FURTHER RESOLVED, that the Governor appoint a committee to meet with representatives of Montana to discuss cooperative efforts between the two states and to explore methods to resolve potential areas of disagreement, and that the State of Montana be urged to appoint a similar committee;

IT IS FURTHER RESOLVED, that the Speaker of the House appoint two members from the House and the President of the Senate appoint two members from the Senate to serve as members on the committee;

IT IS FURTHER RESOLVED, that the Secretary of State of Wyoming send copies of this resolution to the Governor of Montana and to the Speaker of the Montana House of Representatives and to the President of the Montana Senate, and to the Yellowstone River Compact Commissioners of Wyoming and Montana.

OFFICE OF THE
SECRETARY OF STATE

United States of America,)
) ss.
State of Wyoming)

I, THYRA THOMSON, Secretary of State of the State of Wyoming, do hereby certify that the attached is a true and correct copy of Enrolled Joint Resolution No. 6 of the Wyoming House of Representatives requesting appropriate action by the federal government to reduce interest rates, which is being forwarded to you in accordance with the instructions of the Wyoming State Legislature.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Wyoming. Done at Cheyenne, the Capital, this 7th day of March A.D. 1985.

THYRA THOMSON
Secretary of State
by Linda Norman

ENROLLED JOINT RESOLUTION NO. 6, HOUSE OF REPRESENTATIVES

FORTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING 1985 GENERAL SESSION

A JOINT RESOLUTION relating to interest rates; requesting appropriate action by the federal government to reduce interest rates.

WHEREAS, the federal government, over the years has managed agriculture in such a way as to sell at world prices; and

WHEREAS, the federal government recognized that agriculture was buying goods and services at national prices which were higher than world prices; and

WHEREAS, the federal government knew that agricultural net income was low, even to the point of the federal government, over the years, claiming that agriculture's income was derived from increased land values rather than cash income; and

WHEREAS, lending institutions, including those of the federal government, have ceased lending on asset value and will now only lend on cash flow; and

WHEREAS, the federal government itself has created ultra-high interest rates by excessive borrowing and by its failure to operate on a cash flow basis; and

WHEREAS, the federal government's economic planners have failed to recognize or plan for the economic tragedy they would cause for agriculture and other domestic industries; and

WHEREAS, it now appears that the federal government's planners do not recognize that untold billions of dollars of equity have been withdrawn from agriculture, home owners and domestic industry; and

WHEREAS, the federal government's plan to reduce borrowing through high interest rates has succeeded except in the case of federal government borrowing, all to the detriment of agriculture, the home owners and domestic industry; and

WHEREAS, high interest rates have reduced exports and increased imports; and

WHEREAS, the federal government could have reduced borrowing by reducing its own spending and imposing borrowing restrictions on others, while holding interest rates at a much lower level; and

WHEREAS, there is no relationship whatsoever between the current inflation rate and interest rates.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE LEGISLATURE OF THE STATE OF WYOMING:

Section 1. That the federal government immediately restrict its spending and restrict other borrowing while lowering interest rates substantially.

Section 2. That all government agricultural subsidy programs be terminated and replaced with a five percent (5%) loan program so that:

(a) Stability can return to agriculture;

(b) Agriculture can then produce for the marketplace at an interest rate which will allow this low return industry to survive; and

(c) Spending by agriculture can stimulate other private economic activity.

Section 3. That the Secretary of State forward copies of this resolution to: the President of the United States; the President of the Senate and the Speaker of the House of Representatives of the United States Congress; the presiding officer in each house of each of the other state legislatures; and each member of the Wyoming congressional delegation and United States Secretary of Agriculture.

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 3/15/85

Correctly printed and placed on the members' desks: SB 208, SB 234, SB 425, SB 426, SB 455.

Considered correctly engrossed: SB 161, SB 461.

Signed by the President at 10:00 a.m., 3/15/85: SB 1, SB 5, SB 17, SB 24, SB 39, SB 40, SB 60, SB 78, SB 87, SB 115, SB 120, SB 123, SB 124, SB 139, SB 143, SJR 8, SJR 23.

Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 3/15/85

HB 618, be concurred in. Report adopted.

FISH AND GAME (Conover, Chairman): 3/14/85

HB 406, be concurred in. Report adopted.

HB 581, be concurred in. Report adopted.

HB 820, third reading copy, be amended as follows:

1. Title, line 8.
Following: "WETLANDS;"
Insert: "REQUIRING THE APPOINTMENT OF AN ADVISORY COUNCIL TO ADVISE THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS ON THE USE OF MONEY RAISED BY THE SALE OF STAMPS AND ARTWORK;"

2. Page 2.
Following: line 13
Insert: "Section 3. Appointment of advisory council. (1) The director shall appoint an advisory council pursuant to 2-15-122 to review proposals developed by the department which involve the use of money received by the department under [section 2] for the protection, conservation, and development of wetlands in Montana.

(2) Members must be appointed to the advisory council who represent Montana sportsmen, nonconsumptive users of wildlife, and the agricultural industry."
Renumber: subsequent sections

3. Page 2, line 14.
Following: "Sections 1"
Strike: "and 2"
Insert: "through 3"

4. Page 2, line 21.
Following: "THROUGH"
Strike: "5"
Insert: "6"

5. Statement of Intent.
Strike: statement of intent in its entirety

And, as amended, be concurred in. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stimatz, Chairman): 3/14/85
HB 21, be concurred in. Report adopted.
HB 185, be concurred in. Report adopted.
HB 238, be concurred in. Report adopted.
HB 245, be concurred in. Report adopted.

LOCAL GOVERNMENT (Fuller, Chairman): 3/14/85
HB 470, be concurred in. Report adopted.
HB 484, be concurred in. Report adopted.
HB 653, be concurred in. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 3/15/85
HB 394, be concurred in. Report adopted.
HB 800, be concurred in. Report adopted.

TAXATION (Towe, Chairman): 3/15/85
HB 478, be concurred in. Report adopted.
SB 390, second reading copy, be amended as follows:

1. Page 7, line 12.
Following: "~~6.3%~~"
Strike: "6.5%"
Insert: "7%"

2. Page 7, line 14.
Following: "~~9.2%~~"
Strike: "10%"
Insert: "11%"

And, as amended, do pass. Report adopted.

SB 462, introduced bill, be amended as follows:

1. Title, lines 6 and 7.
Following: "PURPOSES;" on line 6
Strike: "DEFINING "OWNER OPERATOR" AND "STRIPPER WELL";"

2. Title, line 9.
Following: "SECTIONS"
Strike: "15-23-601,"
Following: "15-23-603"
Strike: ","

3. Page 1.
Following: line 13
Strike: section 1 in its entirety
Renumber: subsequent sections

4. Page 3.
Following: line 18
Insert: "labor,"
Following: "machinery,"
Insert: ","

5. Page 3, line 21 through line 24.
Strike: subsection (c) in its entirety
Renumber: subsequent subsections

6. Page 4, line 14.
Following: "insurance"

Insert: "directly attributable to the operation and development of the well"

7. Page 4, line 20.
Following: ";"
Insert: "and"

8. Page 4, line 21 through line 20, page 5.
Strike: subsection (h) in its entirety
Renumber: subsequent subsection

9. Page 6, line 8.
Following: "~~thereof~~"
Insert: ", and such expenditures may not include the salaries or any portion thereof of any person or officer not actually engaged in the working of the well or superintending the management thereof"

And, as amended, do pass. Report adopted.

Adverse Committee Reports

LOCAL GOVERNMENT (Fuller, Chairman): 3/14/85

HB 75, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Pinsoneault, Regan, Smith, Tveit.
Total 4

Excused: Crippen, Goodover.
Total 2

Absent or not voting: None.
Total 0

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman March 14, 1985
President of the Senate
State Capitol
Helena, Montana 59620

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 18 and 114 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bill concurred in and returned to the Senate: 3/14/85

SB 16, introduced by Kolstad

Senate bills not concurred in and returned to the Senate: 3/14/85

SB 135, introduced by Mohar, et al.

SB 20, introduced by Fuller

SB 3, introduced by Shaw, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the House and is transmitted to the Senate for concurrence, with the following vote: 3/14/85

House of Representatives
Ayes-82
Noes-14

The House, on 3/15/85, requested the return of SB 135, introduced by Mohar, for further consideration.

MOTIONS

Senator Van Valkenburg moved that the Senate accede to the request of the House of Representatives to return SB 135. Motion carried unanimously.

Senator Bengtson moved that HB 65 be taken from second reading this legislative day and that it be rereferred to the Committee on Highways and Transportation. Motion carried unanimously.

Senator Van Valkenburg moved that consideration on SB 436 be passed until the 58th legislative day, 3/18/85. Motion carried unanimously.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 67 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Blaylock, Lybeck, Manning, Regan, Towe.
Total 5

Paired: Crippen, Aye; Towe, No.

Excused: Goodover.
Total 1

Absent or not voting: None.
Total 0

SB 68, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 48

Noes: None.
Total 0

Excused: Crippen, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 263 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 46

Noes: Shaw, Weeding.
Total 2

Excused: Crippen, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 283 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Crippen, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 289 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Crippen, Goodover.

Total 2

Absent or not voting: None.
Total 0

HB 299 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 46

Noes: McCallum, Yellowtail.
Total 2

Excused: Crippen, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 526 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Crippen, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 547 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Crippen, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 588 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Crippen, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 644 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Crippen, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 729 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Crippen, Goodover.
Total 2

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Weeding in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 330 - Senator Stephens moved that consideration on SB 330 be passed. Motion carried unanimously.

SJR 31 - That SJR 31 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Crippen, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 57 - That HB 57 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Crippen, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 86 - That HB 86 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Crippen, Goodover.
Total 2

Absent or not voting: None.

Total 0

HB 89 - That HB 89 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Crippen, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 227 - That HB 227 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Christiaens, Neuman, Thayer, Towe.
Total 4

Excused: Crippen, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 257 - That HB 257, second reading copy, be amended as follows:

1. Title, line 5.
Following: "COMMITTEES"
Insert: "AND LOBBYISTS' PRINCIPALS; AMENDING SECTION 5-7-201, MCA"

2. Page 1.
Following: line 7
Insert: "<u>NEW SECTION.</u>"

3. Page 2.
Following: line 3
Insert: "Section 2. Section 5-7-201, MCA, is amended to read:

"5-7-201. Docket — contents <u>— naming and labeling of principal.</u> <u>(1)</u> The commissioner shall make available to the public the information required by this chapter, including but not limited to the name and business address of each lobbyist, the name and business address of his principal, and the subject or subjects to which the employment relates or a statement that the employment relates to all matters in which the principal has an interest.

The docket entry for each principal shall also indicate the principal's required reports of payments to influence official action by a public official.

(2) Any principal organized for the primary purpose of promoting legislative action shall name and identify itself, using a name or phrase:

(a) that clearly identifies the economic or other special interest, if identifiable, of a majority of its contributors or membership; and

(b) that identifies a common employer if a majority of its contributors or membership share such an employer.""

Renumber: subsequent section

Amendment failed as follows:

Ayes: Aklestad, Anderson, Farrell, Gage, Galt, Hager, Harding, Himsl, Hirsch, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Weeding.
Total 20

Noes: Bengtson, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 25

Excused: Crippen, Goodover.
Total 2

Absent or not voting: Blaylock, Boylan, Hammond.
Total 3

That HB 257 be concurred in. Motion carried as follows:

Ayes: Bengtson, Blaylock, Christiaens, Conover, Eck, Fuller, Haffey, Halligan, Harding, Himsl, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Stimatz, Towe, Weeding, Williams.
Total 23

Noes: Aklestad, Anderson, Boylan, Daniels, Farrell, Gage, Galt, Hager, Hammond, Hirsch, Keating, Kolstad, McCallum, Neuman, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Mr. President.
Total 22

Excused: Crippen, Goodover.
Total 2

Absent or not voting: Brown, Van Valkenburg, Yellowtail.
Total 3

HB 256 - That HB 256 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.

Total 0

Excused: Crippen, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 272 - That HB 272 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Crippen, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 300 - That HB 300 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Crippen, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 302 - That HB 302 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Crippen, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 334 - That HB 334 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Crippen, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 345 - That HB 345 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Crippen, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 351 - That HB 351 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Crippen, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 359 - Senator Christiaens moved that HB 359 be moved to the bottom of the board. Motion carried unanimously.

HB 360 - That HB 360 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Crippen, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 365 - That HB 365 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Crippen, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 379 - Senator Christiaens moved that HB 379 be moved to the bottom of the board. Motion carried unanimously.

HB 387 - That HB 387 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Crippen, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 389 - That HB 389 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Crippen, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 431 - That HB 431 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Crippen, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 467 - That HB 467 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Crippen, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 468 - That HB 468 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar,

Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Crippen, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 482 - That HB 482 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Crippen, Goodover.
Total 2

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Weeding moved the adoption of the committee report. Report adopted.

Senator Van Valkenburg moved that the Senate adjourn until 9:00 a.m., March 16, 1985.

Motion carried.

Senate adjourned at 5:14 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

FIFTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
March 16, 1985

Senate Chambers
State Capitol

Senate convened at 9:00 a.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Crippen, Goodover, Mazurek, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 3/16/85

Correctly printed and placed on the members' desks: SB 390, SB 462.

Considered correctly engrossed: SJR 31.

Signed by the President at 4:00 p.m., 3/15/85: HB 85, HB 96, HB 150, HB 153, HB 159, HB 163, HB 178, HB 180, HB 189, HB 197, HB 202, HB 217, HB 251, HB 268, HB 428, HB 568, HB 605, HJR 1.

Delivered to the Governor for his approval at 3:30 p.m., 3/15/85: SB 1, SB 5, SB 17, SB 24, SB 39, SB 40, SB 60, SB 78, SB 87, SB 115, SB 120, SB 123, SB 124, SB 139, SB 143.

Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 3/16/85

Recommend that at the close of business March 16, 1985, the following employment be terminated:

Jamie Towe ..... Page
Earl McAlear ..... Page
Erika Swanson ..... Page
Katie Voth ..... Page
Karen Brinkel ..... Page
Steve Thuesen ..... Page
Lee Severson ..... Page
Yvonne Smith ..... Page

Report adopted.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Boylan, Chairman): 3/15/85

HB 621, third reading copy, be amended as follows:

1. Statement of Intent, page 1, line 7.
Following: "1"
Strike: "through 3"
Insert: ", 2, and 6"

And, as amended, be concurred in. Report adopted.

HB 716, third reading copy, be amended as follows:

1. Page 7, line 4.
Following: "~~seed~~"
Insert: "or go to seed"

2. Page 12, line 22.
Following: "notified by"
Strike: "CERTIFIED"
Following: "~~telephone~~"
Insert: "or telephone"

And, as amended, be concurred in. Report adopted.

HJR 15, be concurred in. Report adopted.
HJR 32, be concurred in. Report adopted.

JUDICIARY (Mazurek, Chairman): 3/15/85
HB 286, third reading copy, be amended as follows:

1. Page 2, line 20.
Following: "utility."
Insert: "Collection under subsection (2) precludes collection under this subsection."

2. Page 2, line 25.
Following: "utility."
Insert: "Collection under subsection (1) precludes collection under this subsection."

3. Page 3, line 6.
Following: "court"
Strike: "shall"
Insert: "may"
Following: "for"
Insert: "up to"

4. Page 3, line 8.
Following: "provided"
Insert: "and may award to the utility its costs, including reasonable attorney fees, incurred in maintaining the action and the costs, including expert witness fees, of presenting such expert testimony as is reasonably necessary to prove the utility's case"

And, as amended, be concurred in. Report adopted.

HB 371, be concurred in. Report adopted.
HB 706, third reading copy, be amended as follows:

1. Page 2, line 4.
Following: "structure"
Strike: remainder of line 4 through "property" on line 5

And, as amended, be concurred in. Report adopted.

HB 801, third reading copy, be amended as follows:

1. Title, line 8.
Following: "DATE"
Insert: "AND AN APPLICABILITY DATE"

2. Page 3, line 16.
Following: "3."
Strike: "Application in 1985."
Insert: "Applicability date. This act is applicable to fiscal years following June 30, 1985."

And, as amended, be concurred in. Report adopted.

HB 831, be concurred in. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman): 3/15/85
HB 186, third reading copy, be amended as follows:

1. Page 1, line 10.

Following: "Definition."
Insert: "(1)"

2. Page 1, line 18.
Following: "PROPERTY."
Insert: "(2) "Community decay" as used in [this act] may not be construed or defined to apply to normal farming, ranching, or other agricultural operations or to a farm, ranch, or other agricultural facility, and any appurtenances thereof, during the course of its normal operations."

And, as amended, be concurred in. Report adopted.

HB 561, be concurred in. Report adopted.
HB 737, third reading copy, be amended as follows:

1. Page 2, line 2.
Following: "attorney"
Insert: "or his designee"

And, as amended, be concurred in. Report adopted.

Adverse Committee Reports

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman):
3/13/85

HB 465, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Farrell, Fuller, Gage, Galt, Haffey, Hager, Hammond, Himsl, Jacobson, Keating, Kolstad, Lane, Lynch, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Weeding, Williams, Yellowtail.
Total 38

Noes: Eck, Halligan, Harding, Lybeck, Manning, Towe, Van Valkenburg, Mr. President.
Total 8

Excused: Crippen, Goodover, Mazurek.
Total 3

Absent or not voting: Hirsch.
Total 1

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

March 15, 1985

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 7, 8, 14, and 59 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bills concurred in and returned to the Senate: 3/15/85

SB 34, introduced by Norman

SB 35, introduced by Norman

SB 36, introduced by Norman

SB 37, introduced by Mazurek

SB 42, introduced by Towe

SB 80, introduced by Jacobson

SB 84, introduced by B. Brown, et al.

SB 104, introduced by Halligan

SB 131, introduced by Haffey, Quilici

SB 190, introduced by Mazurek, et al.

SJR 4, introduced by Lane, Ellerd

SJR 12, introduced by Severson, et al.

Senate bills concurred in as amended and returned to the Senate for concurrence in House amendments: 3/15/85

SB 13, introduced by Story

SB 79, introduced by Christiaens

SB 144, introduced by Mazurek

MOTIONS

Senator Lynch moved that SB 161 be taken from third reading this legislative day and placed on second reading. Motion failed as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Fuller, Gage, Galt, Haffey, Halligan, Hammond, Hirsch, Jacobson, Keating, Kolstad, Lynch, McCallum, Smith, Stephens, Stimatz, Towe, Van Valkenburg, Williams, Mr. President.
Total 23

Noes: Bengtson, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Hager, Harding, Himsl, Lane, Lybeck, Manning, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Story, Thayer, Tveit, Weeding, Yellowtail.
Total 24

Excused: Crippen, Goodover, Mazurek.
Total 3

Absent or not voting: None.
Total 0

Senator Blaylock moved that the Committee on Rules determine if SB 425 requires a three-fourth vote in accordance with Article IX, Section 5, Constitution of the State of Montana. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, McCallum, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Williams, Yellowtail.
Total 38

Noes: Bengtson, Boylan, Lybeck, Mohar, Neuman, Towe, Van Valkenburg, Weeding, Mr. President.
Total 9

Excused: Crippen, Goodover, Mazurek.
Total 3

Absent or not voting: None.
Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 161 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Haffey, Hager, Halligan, Hammond, Harding, Jacobson, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 35

Noes: Aklestad, Boylan, Gage, Goodover, Himsl, Hirsch, Keating, Kolstad, Lynch, McCallum, Shaw, Smith, Stephens, Stimatz, Tveit.
Total 15

Paired: Crippen, Mazurek, Regan, Ayes; Aklestad, Goodover, Lynch, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 461 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Keating.
Total 1

Excused: Crippen, Goodover, Mazurek.
Total 3

Absent or not voting: None.
Total 0

SB 157, House amendments to SB 157 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 46

Noes: Smith.
Total 1

Excused: Crippen, Goodover, Mazurek.
Total 3

Absent or not voting: None.
Total 0

HB 181 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Hammond, Shaw.
Total 2

Excused: Crippen, Goodover, Mazurek.
Total 3

Absent or not voting: None.
Total 0

HB 323 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Boylan, Shaw.
Total 2

Excused: Crippen, Goodover, Mazurek.
Total 3

Absent or not voting: None.
Total 0

HB 337 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Crippen, Goodover, Mazurek.

Total 3

Absent or not voting: None.
Total 0

HB 361 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Crippen, Goodover, Mazurek.
Total 3

Absent or not voting: None.
Total 0

HB 362 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Crippen, Goodover, Mazurek.
Total 3

Absent or not voting: None.
Total 0

HB 432 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Boylan.
Total 1

Excused: Crippen, Goodover, Mazurek.
Total 3

Absent or not voting: None.
Total 0

HB 524 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Crippen, Goodover, Mazurek.
Total 3

Absent or not voting: None.
Total 0

HB 566 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Crippen, Goodover, Mazurek.
Total 3

Absent or not voting: None.
Total 0

HB 582 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Crippen, Goodover, Mazurek.
Total 3

Absent or not voting: None.
Total 0

At the request of Senator Hammond, and without objection, Senator Hammond's vote on SB 181 be recorded as no.

At the request of Senator Bengtson, and without objection, Senator Bengtson's vote on HB 337 be recorded as yes.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Towe moved that SB 425 and SB 426 be placed below SB 208 on second reading this legislative day. Motion carried unanimously.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Brown in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 523 - That HB 523 be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Haffey, Halligan, Hammond, Harding, Jacobson, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Yellowtail, Mr. President.
Total 34

Noes: Aklestad, Gage, Galt, Hager, Himsl, Hirsch, Keating, Kolstad, Shaw, Smith, Tveit, Williams.
Total 12

Excused: Crippen, Goodover, Mazurek.
Total 3

Absent or not voting: Weeding.
Total 1

HB 790 - That HB 790 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Crippen, Goodover, Mazurek.
Total 3

Absent or not voting: None.
Total 0

SB 208 - That SB 208, second reading copy, be amended as follows:

1. Page 6, line 10.
Following: "requirement."
Insert: "Nothing contained herein shall obligate the legislature to make an appropriation for this purpose."

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Crippen, Goodover, Mazurek.
Total 3

Absent or not voting: None.
Total 0

That SB 208, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Conover, Daniels, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, McCallum, Mohar, Neuman, Pinsoneault, Severson, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 37

Noes: Blaylock, Eck, Keating, Lynch, Manning, Regan, Shaw, Stimatz.
Total 8

Excused: Crippen, Goodover, Mazurek.
Total 3

Absent or not voting: Brown, Christiaens.
Total 2

SB 425 - That SB 425, second reading copy, be amended as follows:

1. Title, line 11.
Following: "DATE"
Insert: "AND A TERMINATION DATE"

2. Page 10.
Following: line 6
Insert: "NEW SECTION. Section 16. Termination date. This act terminates July 1, 1987."

Amendment passed as follows:

Ayes: Aklestad, Blaylock, Brown, Daniels, Eck, Farrell, Galt, Haffey, Hager, Halligan, Himsl, Jacobson, Lane, Lynch, Manning, Mohar, Regan, Shaw, Smith, Stephens, Stimatz, Story, Tveit, Yellowtail.
Total 24

Noes: Anderson, Bengtson, Christiaens, Conover, Fuller, Gage, Hammond, Harding, Hirsch, Keating, Kolstad, Lybeck, Neuman, Pinsoneault, Thayer, Towe, Weeding, Williams, Mr. President.
Total 19

Excused: Crippen, Goodover, Mazurek.
Total 3

Absent or not voting: Boylan, McCallum, Severson, Van Valkenburg.
Total 4

That SB 425, as amended, do pass. Motion carried as follows:

Ayes: Bengtson, Christiaens, Conover, Daniels, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 33

Noes: Aklestad, Anderson, Blaylock, Brown, Eck, Himsl, Keating, Regan, Stimatz, Story, Yellowtail.
Total 11

Excused: Crippen, Goodover, Mazurek.
Total 3

Absent or not voting: Boylan, McCallum, Mohar.
Total 3

SB 426 - That SB 426 do pass. Motion failed as follows:

Ayes: Blaylock, Daniels, Eck, Fuller, Haffey, Halligan, Hammond, Hirsch, Lybeck, Lynch, Manning, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Weeding, Williams.
Total 19

Noes: Aklestad, Anderson, Bengtson, Boylan, Christiaens, Conover, Farrell, Gage, Galt, Hager, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Yellowtail.
Total 24

Excused: Crippen, Goodover, Mazurek.
Total 3

Absent or not voting: Brown, McCallum, Van Valkenburg, Mr. President.
Total 4

Senator Galt moved that SB 426 be indefinitely postponed. Motion failed as follows:

Ayes: Aklestad, Anderson, Brown, Conover, Farrell, Gage, Galt, Hager, Harding, Himsl, Keating, Kolstad, Lane, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 20

Noes: Bengtson, Blaylock, Boylan, Christiaens, Daniels, Eck, Fuller, Haffey, Halligan, Hammond, Hirsch, Jacobson, Lybeck, Lynch, Manning, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Weeding, Williams, Yellowtail.
Total 24

Excused: Crippen, Goodover, Mazurek.
Total 3

Absent or not voting: McCallum, Van Valkenburg, Mr. President.
Total 3

Senator Christiaens moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President Pro Tempore in the Chair.

HB 523 - Senator Story moved that HB 523 be segregated from the Committee of the Whole report and placed on second reading. Motion carried unanimously.

Chairman Brown moved the adoption of the committee report, as amended. Report adopted.

Senator Christiaens moved that the Senate adjourn until 3:00 p.m., March 18, 1985.

Motion carried.

Senate adjourned at 12:33 p.m.

CHET BLAYLOCK
President Pro Tempore of the Senate

BONNIE WALLEM
Secretary of the Senate

FIFTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
March 18, 1985

Senate Chambers
State Capitol

Senate convened at 3:03 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Hager, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journals for the fifty-sixth and fifty-seventh legislative days, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 3/18/85
Correctly engrossed: SB 208, SB 425.

Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 3/18/85
Recommend that at the beginning of business March 18, 1985, the following be employed:

Kathy Anderson.....Page
Jeff Lynch.....Page
Genna Rogerson.....Page
Kristi Hiatt.....Page
Frank Brown.....Page
Keith Kelly.....Page
Shere Howald.....Page
Karl N. Kaluza.....Page

Report adopted.

EDUCATION AND CULTURAL RESOURCES (Blaylock, Chairman): 3/15/85

HB 608, be concurred in. Report adopted.
HB 635, be concurred in. Report adopted.
HB 685, be concurred in. Report adopted.

LOCAL GOVERNMENT (Fuller, Chairman): 3/18/85
HB 239, third reading copy, be amended as follows:

1. Page 2, line 6.
Following: "(E)"
Strike: "WEED"
Insert: "dog"

2. Page 2.
Following: line 15
Insert: "(3) An interlocal agreement under [this act] may enlarge an existing service district or city or county library, but it may not supersede or void an existing contract or interlocal agreement under which the same service is currently provided to residents of one or more of the participating jurisdictions.

(4) A library established under [this act] as a multijurisdictional service must be administered according to the provisions of 22-1-305 through 22-1-317."

3. Page 2, line 21.
Following: "district."
Insert: "Property taxes levied for a library established under [this act] as a multijurisdictional service must be added to taxes levied under 22-1-304."

4. Page 3, line 10.
Following: "~~electors~~"
Insert: "resident"
Following: "PROPERTY"
Strike: "OWNERS"
Insert: "taxpayers"

5. Page 4, lines 11 through 13.
Following: "ordinance" on line 11
Strike: remainder of line 11 through "petition," on line 13

6. Page 4, line 24.
Following: "~~electors~~"
Insert: "electors or"

7. Page 5, line 2.
Following: "of"
Strike: "such"
Insert: "the electors, or the owners of more than 50% of the taxable value of the property, in the affected portion of"
Following: "~~electors~~"
Strike: "PROPERTY OWNERS IN"

8. Page 5.
Following: line 4
Insert: "Section 8. Coordination instruction. If House Bill No. 496 is passed and approved, section 2(2)(a) of this act is amended to read: "recreation programs other than park and recreation programs in a county park district established under [House Bill No. 496]."

And, as amended, be concurred in. Report adopted.

HB 414, be concurred in. Report adopted.
HB 436, third reading copy, be amended as follows:

1. Page 2, line 3.
Following: "~~nine~~"
Strike: "10"
Insert: "nine"

2. Page 2, lines 20 through 23.
Strike: subsection (E) in its entirety
Renumber: subsequent subsection

3. Page 2, line 24.
Following: "~~ninth~~"
Strike: "10th"
Insert: "ninth"

4. Page 2, line 25.
Following: "~~eight~~"
Strike: "nine"
Insert: "eight"

5. Page 3, lines 1 and 2.
Following: "for" on line 1

Strike: remainder of line 1 through "council" on line 2
Insert: "from the members of the board of supervisors of a conservation district provided for in 76-15-311"

6. Page 3, line 4.
Following: "MEMBER OF THE"
Strike: "GOVERNING BOARD OF THE"
Insert: "board of supervisors of a"

7. Page 3, line 6.
Following: "THE"
Insert: "ninth member of the"

8. Page 3.
Following: line 6
Strike: "CONSIST OF NOT LESS THAN NINE MEMBERS"
Insert: "be selected by the eight officers and citizen members herein above provided for with the consent and approval of the board of county commissioners and the city council"

And, as amended, be concurred in. Report adopted.

HB 483, third reading copy, be amended as follows:

1. Page 2.
Following: line 9
Strike: "boards of"
Following: "commissioners of"
Strike: "all the"
Insert: "the county or"

2. Page 2, lines 15 and 16.
Following: "with the" on line 15
Strike: remainder of line 15 through "RECORDERS" on line 16
Insert: "clerk and recorder of the county or counties in which the district is located"

3. Page 2.
Following: line 21
Insert: "Section 2. Coordination instruction. If Senate Bill No. 130, including the section of that bill that provides for newspaper publication of notices, is passed and approved, the sentence beginning on line 18 on page 1 of this act is amended to read: "A notice of the public hearing on the dissolution must be published as provided in [section 1 of Senate Bill No. 130]""
Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

HB 564, be concurred in. Report adopted.
HB 746, be concurred in. Report adopted.

RULES (Van Valkenburg, Chairman): 3/18/85

That SB 425 requires a majority vote only.

March 18, 1985

TO: Senate Rules Committee

FROM: Legal Division, Montana Legislative Council

RE: Senate Bill 425

Issue: Is the allocation of 25% of the revenue deposited in the permanent coal tax trust fund, as provided in Senate Bill 425, an appropriation of that money which would require a three-fourths vote of each house of the legislature?

Brief answer: An appropriation of state funds is the authorization of the expenditure of public money for a distinct use or payment of a particular demand and contemplates the funds will be used up or consumed by the designated use or purpose. The investment scheme outlined in Senate Bill 425 (and Senate Bill 208) contemplates the money loaned to farmers will be repaid at a reasonable rate of interest and not used up or rendered unavailable to trust beneficiaries. Thus the use of trust principal in this manner is not an appropriation and does not require a three-fourths vote of the Senate.

Answer: Article IX, section 5 provides that the principal of the coal tax trust fund "shall forever remain inviolate" unless appropriated by a three-fourths vote of the members of each house of the legislature. When voters approved the creation of the coal tax trust, it was intended primarily as a savings mechanism, to transmit the accumulated savings forward to undefined future generations. This mechanism provided that all the income and interest earned on the trust could be appropriated by the legislature for current use. In the second evolutionary step the trust developed a new role as a revenue generator for state government operations. State investment earnings increasingly have become a growing source of nontax revenue. And since the passage of Initiative 95 the coal tax trust has served a third function, as a catalyst for new investment in Montana's economic development.

As envisioned in Senate Bill 425, the agricultural authority investment fund is to be used for investment in Montana agriculture. No money is to be loaned directly to individual borrowers. Instead, the state will purchase (invest in) loans originated by participating financial institutions which must make a determination of credit worthiness of individual applicants. The investment scheme anticipates the state will earn a reasonable rate of return on its investments in the state agricultural economy although the rate may be slightly lower than if the board of investments were administering the funds. But it is intended that the principal of this portion of the trust will be saved for future purposes while what is earned on that principal will still be available to support current government operations.

An appropriation of state money sets it apart by designating the use or application of a fund. It contemplates the money will be expended, i.e. used up, for some individual purchase or expense or applied to some general object of governmental expenditure. An investment, however, is the loaning or laying out of a fund so that it may produce a revenue or income. It is not anticipated that the fund will be consumed, but will remain intact and grow.

Under the investment scheme invisioned by Senate Bill 425, the portion of the coal tax trust fund invested in Montana agriculture would not be spent or used up in such fashion as to render it unavailable to the beneficiaries of the trust, but would remain intact and produce interest. As the principal would not be expended, this use is not an appropriation and therefore does not require a three-fourths vote of each house of the legislature.

As further indication that the directive for investment established in Senate Bill 425 is not technically an appropriation, it is appropriate to examine Article VIII, section 14. That section provides that no money may be paid from the state treasury "unless upon an appropriation made by law and a warrant drawn by the proper officer in pursuance thereof."

With regard to the investments made by the Montana Economic Development Board for in-state investment, we do not require the introduction of an appropriation bill for each investment made by the board as a state expenditure is not contemplated or intended.

This issue was also raised at the time Initiative 95 was adopted, allocating 25% of the coal tax trust fund for investment in Montana businesses. In performing their statutory review of that initiative prior to its inclusion on the ballot, neither the Legislative Council nor the Attorney General found any problem with enacting substantially similar investment requirements by the initiative process, and not by three-fourths vote of each house of the legislature. The issue was raised in the lawsuit filed in the Supreme Court just prior to the election, but was not addressed by the court in its dismissal of that suit. The response of the Legislative Council at that time was the same as outlined in the foregoing discussion.

Although neither Initiative 95 nor Senate Bill 425 contain an "appropriation" within the context of the constitutional requirement of a three-fourths vote, it is conceivable that creating an investment requirement particularly targeted at a class of investments which is less than the best credit risk could result in a dissipation of the coal tax trust fund, also in violation of the constitution. That, of course, is a policy matter within the discretion of the legislature acting as trustee of the fund, and is a different matter from the issue addressed herein.

Report adopted as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Christiaens, Daniels, Fuller, Gage, Haffey, Halligan, Harding, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mohar, Neuman, Pinsoneault, Severson, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Mr. President.
Total 28

Noes: Aklestad, Brown, Conover, Crippen, Eck, Farrell, Galt, Goodover, Hammond, Himsl, Keating, Mazurek, McCallum, Regan, Shaw, Smith, Stephens, Story, Thayer, Tveit, Yellowtail.
Total 21

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

STATE ADMINISTRATION (Haffey, Chairman): 3/18/85

HB 274, be concurred in. Report adopted.
HB 288, be concurred in. Report adopted.
HB 550, third reading copy, be amended as follows:

1. Statement of Intent, page 1.
Following: line 24
Insert: "It is intended that when promulgating these rules, the department of administration review similar programs, including the programs in use in school district no. 1 in Helena and school district no. 1 in Butte, and use those programs as guidelines for the adoption of the rules required by this bill."

And, as amended, be concurred in. Report adopted.

TAXATION (Towe, Chairman): 3/16/85

SB 431, introduced bill, be amended as follows:

1. Title, line 7.

Following: "PURPOSES;"
Strike: "CLASSIFYING SEPARATELY RESIDENCES SITUATED ON AGRICULTURAL LAND"
Insert: "ALLOWING FOR THE REDUCED VALUE OF AGRICULTURAL IMPROVEMENTS SITUATED ON AGRICULTURAL LAND BY CLASSIFYING THEM SEPARATELY"

2. Page 1, line 16.
Following: "(1)"
Strike: "Land which is"
Insert: "Contiguous parcels of land under one ownership that are actively devoted to agricultural use or noncontiguous parcels of land under one ownership that are"

3. Page 2, line 5.
Following: "produces"
Insert: "and the owner or the owner's agent, employee, or lessee markets"

4. Page 2.
Following: line 5
Strike: "income"
Insert: "sales"

5. Page 2, line 17.
Following: "produces"
Insert: "and the owner or the owner's agent, employee, or lessee markets"

6. Page 2, lines 22 through 24.
Strike: lines 22 through 24 in their entirety
Renumber: subsequent subsection

7. Page 3, line 2.
Following: "through"
Strike: "(1)(e)"
Insert: "(1)(d)"

8. Page 3, line 4.
Following: "producer"
Insert: "or marketing delay for economic advantage"

9. Page 3.
Following: line 5
Insert: "(2) Land shall not be classified or valued as agricultural if it is part of a platted subdivision that is filed with the county clerk and recorder after January 1, 1986, in compliance with the Montana Subdivision and Platting Act."
Renumber: subsequent subsections

10. Page 3.
Following: line 8
Insert: "(4) Land shall not be classified or valued as agricultural if it is a commercial or industrial site."
Renumber: subsequent subsection

11. Page 3.
Following: line 12
Insert: "(6) Before land may be valued, assessed, and taxed as agricultural land in any year the taxpayer shall provide proof of eligibility under this section to the department."

12. Page 3, lines 15 through 22.
Following: "includes" on line 15
Strike: remainder of line 15 through line 22
Insert: "all improvements on agricultural land, as defined in 15-7-202. Class thirteen property includes 1 acre of real property beneath the agricultural improvements. The 1 acre shall be valued at market value."

And, as amended, do pass. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
SB 431

A statement of intent is attached to Senate Bill 431 to provide guidelines to the department of revenue in adopting rules under the extension of rule-making authority granted by section 3 of the bill in order to implement certain provisions.

Section 1 amends 15-7-202 to restrict eligibility of land for valuation as agricultural because of widespread abuse of and difficulty in administering existing law. For those reasons subsections (a) and (c) require that the land produce and that the owner, or the owner's agent, employee, or lessee market stated threshold measurements of agricultural products or gross sales of products. It is the intent of the legislature that the department adopt rules that would provide for methods of determining whether these thresholds are met in instances where the land is primarily used to grow crops that are not marketed but consumed by livestock, poultry, or other animals in an agricultural operation.

SB 442, do pass. Report adopted. 3/18/85
HB 2, be concurred in. Report adopted.

Adverse Committee Reports

TAXATION (Towe, Chairman): 3/18/85
HB 105, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bills concurred in and returned to the Senate: 3/16/85

SB 85, introduced by B. Brown, et al.

SB 117, introduced by Himsl, et al.

SB 121, introduced by Norman, et al.

SB 132, introduced by Halligan

SB 133, introduced by Mohar, et al.

SB 136, introduced by Mohar, et al.

SB 138, introduced by Mohar, et al.

Senate bills concurred in as amended and returned to the Senate for concurrence in House amendments: 3/16/85

SB 54, introduced by Towe

SB 90, introduced by Mazurek, Fuller

SB 91, introduced by Mazurek

SB 109, introduced by Fuller, et al.

SB 134, introduced by Mohar, et al.

Senate bills not concurred in and returned to the Senate: 3/16/85

SB 38, introduced by Mazurek

SB 228, introduced by Boylan, et al.

SB 137, introduced by Mohar, Haffey

Senate bills not concurred in as amended and returned to the Senate: 3/16/85

SB 185, introduced by Hirsch, Gage

SB 186, introduced by Himsl, et al.

The House, on 3/18/85, requested the return of HB 136, introduced by Ellison, for further consideration.

MOTIONS

Senator Blaylock moved that the Senate reconsider its action in adopting the Rules Committee Standing Committee report on SB 425.

Senator Galt moved the previous question. Motion carried unanimously.

Senator Blaylock's motion carried as follows:

Ayes: Aklestad, Blaylock, Brown, Crippen, Eck, Farrell, Galt, Goodover, Hager, Hammond, Himsl, Hirsch, Keating, Lynch, McCallum, Mohar, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Yellowtail.
Total 26

Noes: Anderson, Bengtson, Boylan, Christiaens, Conover, Daniels, Fuller, Gage, Haffey, Halligan, Harding, Jacobson, Kolstad, Lane, Lybeck, Manning, Mazurek, Neuman, Severson, Towe, Van Valkenburg, Weeding, Williams, Mr. President.
Total 24

Paired: Hager, Aye; Christiaens, No.

Excused: None.
Total 0

Absent or not voting: None.

Total 0

Senator Blaylock moved that a three-fourths vote be required in order to pass SB 425 on third reading. Motion carried as follows:

Ayes: Aklestad, Blaylock, Brown, Crippen, Eck, Farrell, Galt, Goodover, Hager, Halligan, Himsl, Hirsch, Keating, Lane, Lynch, McCallum, Mohar, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Yellowtail.
Total 27

Noes: Anderson, Bengtson, Boylan, Christiaens, Conover, Daniels, Fuller, Gage, Haffey, Harding, Jacobson, Kolstad, Lybeck, Manning, Mazurek, Neuman, Severson, Towe, Van Valkenburg, Weeding, Williams, Mr. President.
Total 22

Paired: Hager, Aye; Van Valkenburg, No.

Excused: None.
Total 0

Absent or not voting: Hammond.
Total 1

Senator Regan moved that HB 759 be taken from the Committee on Business and Industry and that it be rereferred to the Committee on Finance and Claims. Motion carried unanimously.

Senator Regan moved that HB 634 be taken from the Committee on State Administration and that it be rereferred to the Committee on Finance and Claims. Motion carried unanimously.

Senator Neuman moved that consideration on SB 426 be passed. Motion carried unanimously.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SJR 31 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Goodover, Keating, Shaw, Smith.
Total 4

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 57 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad,

Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Boylan.
Total 1

Excused: Hager.
Total 1

Absent or not voting: Brown, Mazurek.
Total 2

HB 86 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 89 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 227 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 42

Noes: Christiaens, Daniels, Keating, Neuman, Stimatz, Thayer, Towe.
Total 7

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 256 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 257 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Smith, Stephens, Stimatz, Towe, Weeding, Williams, Yellowtail.
Total 33

Noes: Aklestad, Boylan, Daniels, Gage, Hammond, Harding, Himsl, Keating, McCallum, Neuman, Severson, Shaw, Story, Thayer, Tveit, Van Valkenburg, Mr. President.
Total 17

Paired: Hager, Aye; Van Valkenburg, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 272 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 300 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Daniels, Stimatz.
Total 2

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 302 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 334 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.

Total 0

HB 345 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 351 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 360 concurred in as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Bengtson, Crippen, Keating, Thayer, Tveit.
Total 5

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 365 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 387 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 389 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 431 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story,

Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Daniels, Hirsch.
Total 2

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 467 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Lybeck.
Total 1

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 468 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Stimatz.
Total 1

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 482 concurred in as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Bengtson, Shaw.

Total 2

Excused: Hager.
Total 1

Absent or not voting: Tveit.
Total 1

At the request of Senator Brown, and without objection, Senator Brown's vote on SJR 31 be recorded as yes.

At the request of Senator Neuman, and without objection, Senator Neuman's vote on HB 227 be recorded as no.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Halligan in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Senator Neuman excused at this time.

SB 234 - That SB 234 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 455 - That SB 455, second reading copy, be amended as follows:

1. Page 9, line 16.
Following: "RENUMBERED)"
Insert: "or any other deduction for dividends, whether paid or received, as provided by the Internal Revenue Code,"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 47

Noes: Keating.
Total 1

Excused: Hager, Neuman.
Total 2

Absent or not voting: None.
Total 0

That SB 455, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Eck, Farrell, Fuller, Galt, Halligan, Hammond, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Smith, Stimatz, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 35

Noes: Crippen, Gage, Goodover, Harding, Keating, McCallum, Shaw, Stephens, Story.
Total 9

Excused: Hager, Neuman.
Total 2

Absent or not voting: Brown, Daniels, Haffey, Thayer.
Total 4

HB 114 - That HB 114, Statement of Intent, third reading copy, be amended as follows:

1. Statement of Intent, page 1, line 25 and page 2, line 1.
Following: "requirements" on line 25
Strike: "such as lifeguards"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager, Neuman.
Total 2

Absent or not voting: None.
Total 0

That HB 114, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum,

Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager, Neuman.
Total 2

Absent or not voting: None.
Total 0

HB 373 - At the request of the Chairman, and without objection, HB 373 be moved below HB 649.

HB 380 - At the request of the Chairman, and without objection, HB 380 be moved below HB 373.

HB 463 - That HB 463 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager, Neuman.
Total 2

Absent or not voting: None.
Total 0

HB 464 - That HB 464 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager, Neuman.
Total 2

Absent or not voting: None.
Total 0

HB 523 - That HB 523, third reading copy, be amended as follows:

1. Page 2.
Following: line 5

Strike: "either"

2. Page 2, line 8.
Following: "~~and~~"
Strike: "or"
Insert: "and"

3. Page 2, line 10.
Following: "~~shall~~"
Insert: "shall"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager, Neuman.
Total 2

Absent or not voting: None.
Total 0

That HB 523, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager, Neuman.
Total 2

Absent or not voting: None.
Total 0

HB 649 - That HB 649 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Crippen, Halligan, Keating.
Total 3

Excused: Hager, Neuman.
Total 2

Absent or not voting: None.
Total 0

HB 373 and HB 380 - At the request of the Chairman, and without objection, HB 373 and HB 380 be moved below HB 379.

HB 732 - That HB 732 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager, Neuman.
Total 2

Absent or not voting: None.
Total 0

HB 748 - That HB 748 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager, Neuman.
Total 2

Absent or not voting: None.
Total 0

HB 817 - Senator Jacobson moved that consideration on HB 817 be passed. Motion carried unanimously.

HB 852 - That HB 852 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.

Total 0

Excused: Hager, Neuman.
Total 2

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that HB 359, HB 373 and HB 380 be moved to the bottom of the board. Motion carried unanimously.

HB 379 - That HB 379 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: McCallum, Pinsoneault.
Total 2

Excused: Hager, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 330 - That SB 330, second reading copy, be amended as follows:

1. Title, lines 12 and 13.
Following: "EXCLUDE"
Reinsert: stricken material

2. Title, line 14.
Strike: "FOREIGN PARENT CORPORATIONS"

3. Title, line 16.
Following: "SECTIONS"
Reinsert: stricken material
Strike: 15-31-301, 15-31-305"

4. Page 1, line 20 through page 2, line 3.
Reinsert: stricken material
Following: "States" on line 3, page 2
Insert: "as defined under the internal revenue code except:

(a) 15% of dividends received without regard to section 78 of the internal revenue code in lieu of any expense attribution to such foreign source dividends; and

(b) rents, royalties, capital gains, interest, and fees received by a domestic corporation from a foreign corporation for which a deduction was allowed or allowable in computing a foreign income tax"

5. Page 2, lines 4 and 5.
Reinsert: stricken material except "~~other than~~:"
Following: "~~except:~~" on line 5
Insert: "other than"

6. Page 2, line 6.

Following: "~~(a)~~"
Insert: "business income"

7. Page 2, lines 14 through 21.
Reinsert: stricken material

8. Page 2, line 22.
Reinsert: stricken material

9. Page 2, line 23.
Insert: "District of Columbia,"

10. Page 2, line 25.
Following: "~~country~~"
Reinsert: stricken material

11. Pages 3 and 4 through line 15 on page 4.
Strike: material therein in its entirety

12. Page 4, line 16.
Following: "Section"
Strike: "3"
Insert: "2"

13. Page 5, line 18 and 19.
Following: "business" on line 18
Reinsert: stricken material

14. Page 5, line 20 through line 2 on page 6.
Following: "States" on line 20, page 5
Strike: material therein in its entirety
Insert: "."

15. Page 6, line 3.
Following: "Section"
Strike: "5"
Insert: "3"

16. Page 6, line 4.
Following: "after"
Strike: "December 31, 1985"
Insert: "January 1, 1987"

Amendment failed as follows:

Ayes: Aklestad, Anderson, Crippen, Farrell, Gage, Galt, Goodover, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 19

Noes: Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 28

Excused: Hager, Neuman.
Total 2

Absent or not voting: Daniels.
Total 1

Senator Goodover moved that SB 330 do not pass. Senator Mazurek made a substitute motion that SB 330 do pass. Substitute motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Galt, Haffey, Halligan, Hammond, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 37

Noes: Aklestad, Gage, Goodover, Harding, Kolstad, McCallum, Shaw, Smith, Stephens, Story.
Total 10

Excused: Hager, Neuman.
Total 2

Absent or not voting: Daniels.
Total 1

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Halligan moved the adoption of the committee report. Report adopted.

REPORTS OF STANDING COMMITTEES

BUSINESS AND INDUSTRY (Halligan, Chairman): 3/18/85

SB 391, introduced bill, be amended as follows:

1. Page 1, line 19.
Following: "machines"
Strike: ", except a machine owner"
Insert: "and provides a facility for the inspection of video draw poker machines to ensure conformance with [sections 1 through 12]"

2. Page 2, lines 1 through 3.
Strike: subsection 5 in its entirety
Renumber: subsequent subsections

3. Page 2, line 8.
Following: "of"
Strike: "a coin"
Insert: "cash"

4. Page 2, line 18.
Following: "be"
Strike: "manufactured or assembled"
Insert: "inspected"

5. Page 2, line 19.
Following: "Montana"
Strike: "by a person licensed under [section 10]"
Insert: "for certification and licensure by the department"

6. Page 3, line 4.
Following: "or"
Strike: "out come"
Insert: "outcome"

7. Page 4, line 8.
Following: "use a"
Strike: "13-inch"

8. Page 4, line 9.
Following: "that"

Strike: "are 2 ½ x 1 ¾ inches and"

9. Page 8, lines 18 through 20.
Following: "(a)" on line 18
Strike: remainder of line 18 through end of line 20
Insert: "80% to the machine owner if the same as the owner of the licensed establishment; or

(b) if the machine is placed in a licensed establishment under a lease agreement, 80% to the machine owner and the licensed establishment to be divided by agreement between them;"

10. Page 9, line 6.
Following: "date."
Insert: "The department may use any of the powers granted in Title 15 for the collection of delinquent taxes to collect amounts that remain unpaid after the due date provided in this subsection."

11. Page 9, lines 22 and 23.
Following: "(1)"
Strike: remainder of line 22 through line 23
Insert: "During the first fiscal year of operation under [this act], up to 30% may be used by the department to administer [sections 1 through 12]. Thereafter, up to 15% per fiscal year may be used by the department to administer [sections 1 through 12]."

12. Page 10, line 2.
Following: "licenses."
Insert: "(1) The department shall administer and control the provisions of [sections 1 through 12]."
Renumber: subsequent subsections

13. Page 10.
Following: line 9
Insert: "(4) The department is a criminal justice agency, and designated employees are granted peace officer status with powers of search, seizure, and arrest to regulate and control those persons licensed under [sections 1 through 12]."

14. Page 11, line 20 through line 1, page 12.
Strike: subsection 2 in its entirety
Renumber: subsequent subsections

15. Page 12, line 4.
Following: "state."
Insert: "A distributor shall maintain a facility for the inspection of video draw poker machines to ensure conformance with [sections 1 through 12], and the facility must be registered with the department and be open at any time to the department and law enforcement agencies."
Following: "is"
Strike: "$7,500"
Insert: "$12,500"
Following: "and a"
Strike: "$5,000"
Insert: "$10,000"

16. Page 12.
Following: line 13
Strike: "manufactured or assembled"
Insert: "inspected"

17. Page 12, line 25.
Following: "(7)"
Strike: "No"
Insert: "If under a lease agreement, no"

18. Page 13, line 4.
Following: "of"
Strike: "60"
Insert: "30"

19. Page 13, lines 5 and 6.
Strike: subsection 8 in its entirety
Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

MOTIONS

Senator Van Valkenburg moved that the rules be temporarily suspended in order that all bills which pass second reading on the 60th legislative day advance to third reading on the 60th legislative day. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Hager, Neuman.
Total 2

Absent or not voting: Daniels.
Total 1

Senator Van Valkenburg moved that the Senate adjourn until 3:00 p.m., March 19, 1985.

Motion carried.

Senate adjourned at 6:02 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

FIFTY-NINTH LEGISLATIVE DAY

Helena, Montana
March 19, 1985

Senate Chambers
State Capitol

Senate convened at 3:05 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the fifty-eighth legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 3/18/85

Signed by the President at 4:30 p.m., 3/18/85: HB 166, HB 196, HB 209, HB 276, HB 335, HB 367, HB 416, HB 543, HB 620, HB 755.

Correctly printed and placed on the members' desks: SB 391, SB 431, SB 442. 3/19/85

Correctly engrossed: SB 455.

Considered correctly engrossed: SB 234, SB 330.

Correctly enrolled: SB 3, SB 16, SB 34, SB 35, SB 36, SB 37, SB 42, SB 68, SB 80, SB 84, SB 85, SB 104, SB 117, SB 131, SB 132, SB 133, SB 138, SB 157, SB 190, SJR 4, SJR 12.

Examined by the sponsor (Shaw) and found to be correct: SB 3.
Examined by the sponsor (Kolstad) and found to be correct: SB 16.
Examined by the sponsor (Norman) and found to be correct: SB 34.
Examined by the sponsor (Norman) and found to be correct: SB 35.
Examined by the sponsor (Norman) and found to be correct: SB 36.
Examined by the sponsor (Mazurek) and found to be correct: SB 37.
Examined by the sponsor (Towe) and found to be correct: SB 42.
Examined by the sponsor (Jacobson) and found to be correct: SB 68.
Examined by the sponsor (Jacobson) and found to be correct: SB 80.
Examined by the sponsor (Brown) and found to be correct: SB 84.
Examined by the sponsor (Brown) and found to be correct: SB 85.
Examined by the sponsor (Halligan) and found to be correct: SB 104.
Examined by the sponsor (Himsl) and found to be correct: SB 117.
Examined by the sponsor (Haffey) and found to be correct: SB 131.
Examined by the sponsor (Halligan) and found to be correct: SB 132.
Examined by the sponsor (Mohar) and found to be correct: SB 133.
Examined by the sponsor (Mohar) and found to be correct: SB 138.
Examined by the sponsor (Lybeck) and found to be correct: SB 157.
Examined by the sponsor (Mazurek) and found to be correct: SB 190.
Examined by the sponsor (Lane) and found to be correct: SJR 4.
Examined by the sponsor (Severson) and found to be correct: SJR 12.

Report adopted.

COMMITTEES (Jacobson, Chairman): 3/19/85

Hereby appoint to the Legislative Consumer Council: Stan Stephens, Chet Blaylock.

Hereby appoint to the Administrative Code Committee: Peter Story, H.W. "Swede" Hammond, Paul Boylan, R.J. Pinsoneault.

Hereby appoint to the Legislative Audit Committee: Thomas Keating, Pat Goodover, Judy Jacobson, Dave Fuller.

Hereby appoint to the Necrology Committee: Allen Kolstad, J.D. Lynch, Chet Blaylock.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Boylan, Chairman): 3/18/85

HB 786, be concurred in. Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 3/19/85

HB 602, third reading copy, be amended as follows:

1. Page 2, line 18.
Following: "exhibition"
Strike: "or"
Insert: "and"

2. Page 2, line 19.
Following: "sale"
Strike: ", or both,"

And, as amended, be concurred in. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Blaylock, Chairman): 3/18/85

HJR 26, be concurred in. Report adopted.

JUDICIARY (Mazurek, Chairman): 3/19/85

HB 44, third reading copy, be amended as follows:

1. Title, line 4.
Following: "ACT"
Strike: "DIRECTING"
Insert: "AUTHORIZING"

2. Title, line 6.
Following: "DEFENDANT"
Insert: "WHO IS FINANCIALLY ABLE AND WHO IS"

3. Page 2, line 10.
Following: "court"
Strike: "shall"
Insert: "may"

4. Page 2, line 11.
Following: "offender"
Insert: ", if able,"
Following: "victim's"
Insert: "reasonable"

5. Page 4, line 1.
Following: "court"
Strike: "shall"
Insert: "may"

6. Page 4.
Following: line 1
Insert: ", if able,"
Following: "victim's"
Insert: "reasonable"

And, as amended, be concurred in. Report adopted.

HB 200, third reading copy, be amended as follows:

1. Title, lines 5 and 6.
Following: "TO" on line 5
Strike: remainder of line 5 through "TO" on line 6

2. Title, lines 13 and 14.
Following: "REPEALING" on line 13
Strike: remainder of line 13 through line 14

3. Page 1, lines 19 through 25.
Strike: section 1 in its entirety
Renumber: subsequent sections

4. Page 3.
Following: line 22
Strike: "1 IS"
Insert: "2 and this section are"

5. Page 3, line 24.
Following: "(2)"
Strike: "SECTIONS 2 AND 3 ARE"
Insert: "Section 1 is"

And, as amended, be concurred in. Report adopted.

HB 426, third reading copy, be amended as follows:

1. Page 3, line 8.
Following: "27-19-316"
Strike: "(4)"

And, as amended, be concurred in. Report adopted.

HB 681, third reading copy, be amended as follows:

1. Page 3, line 13.
Following: "FACILITY"
Insert: ", provided the existence of the hospitalization is publicly known, or involves a public figure and release of the information would not violate his right of privacy"

And, as amended, be concurred in. Report adopted.

HB 713, be concurred in. Report adopted.
HB 846, be concurred in. Report adopted.

NATURAL RESOURCES (Eck, Chairman): 3/18/85
HB 702, be concurred in. Report adopted.
HB 705, be concurred in. Report adopted.
HB 769, be concurred in. Report adopted.
HB 784, be concurred in. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman): 3/18/85
HB 487, be concurred in. Report adopted.
HB 563, third reading copy, be amended as follows:

1. Page 1, line 24.
Following: "include"
Strike: ":"

2. Page 1, line 25.
Strike: "(a)"

3. Page 2, line 4.
Following: "business"
Strike: "; or"
Insert: "."

4. Page 2, lines 5 through 8.
Strike: subsection (b) in its entirety

5. Page 6, lines 23 through 25.
Following: "examination" on line 23
Strike: remainder of line 23 through "department," on line 25

6. Page 8, lines 4 through 6.
Following: "department" on line 4
Strike: remainder of line 4 through "examination," on line 6

7. Page 15, line 25 through line 5, page 16.
Following: "deadline." on line 25
Strike: remainder of line 25 through "expiration." on line 5

And, as amended, be concurred in. Report adopted.

HB 623, be concurred in. Report adopted.
HB 646, be concurred in. Report adopted.
HB 743, third reading copy, be amended as follows:

1. Page 2, line 23.
Following: "first."
Strike: "The"
Insert: "Unless all parties agree to a different settlement, the"

And, as amended, be concurred in. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 3/19/85
HB 601, be concurred in. Report adopted.
HB 629, be concurred in. Report adopted.

TAXATION (Towe, Chairman): 3/19/85
HB 26, third reading copy, be amended as follows:

1. Page 2, line 7.
Following: "to"
Strike: "receive"
Insert: "confer"

2. Page 2, line 8.
Following: "of"
Strike: "a"
Insert: "the affected"

3. Page 2.
Following: line 8
Insert: ", if the construction will occur within an"
Following: "town"
Insert: ", the governing body of such incorporated city or town"
Following: "must"
Strike: "have approved"
Insert: "approve"
Following: "by"
Strike: "SEPARATE"

4. Page 2, line 10.
Following: "EACH"

Insert: "remodeling, reconstruction, or expansion"

5. Page 2, line 11.
Following: "(1)"
Strike: "for their respective jurisdiction"

6. Page 2.
Following: line 15
Insert: "local"
Following: "BENEFIT"
Strike: "OVER WHICH THE"

7. Page 2.
Following: line 16
Strike: "GOVERNING BODY HAS SOLE DISCRETION"

8. Page 2, line 18.
Following: "TO"
Insert: "statewide"
Following: "LEVIES"
Strike: "OR"

9. Page 2.
Following: line 18
Strike: "ASSESSMENTS REQUIRED UNDER STATE LAW"

And, as amended, be concurred in. Report adopted.

HJR 21, third reading copy, be amended as follows:

1. Page 1, line 14.
Following: "which"
Strike: "are"
Insert: "may"
Following: "not"
Insert: "be"

2. Page 1, line 19.
Following: "speculation"
Strike: "undercuts"
Insert: "may undercut"

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

March 14, 1985

Dear Senator Norman:

I respectfully submit for confirmation by the Montana State Senate, the attached list of appointments.

Sincerely,

Ted Schwinden
Governor

As members of the BOARD OF AERONAUTICS in accordance with Section No. 2-15-1812, MCA.

Mr. Brad De Zort, Fairfield, Montana 59436, appointed for a term ending 1/2/89.

Mr. Fred Lark, Lewistown, Montana 59457, appointed for a term ending 1/2/89.

Mr. Theodore E. Mathis, Belgrade, Montana 59714, reappointed for a term ending 1/2/89.

Mr. Jim McLean, Bozeman, Montana 59715, reappointed for a term ending 1/2/89.

Mr. Robert A. Worthington, Great Falls, Montana 59404, appointed for a term ending 1/2/89.

As members of the AGRICULTURAL LOAN AUTHORITY in accordance with Section No. 2-15-3011, MCA.

Ms. Dixie R. Halverson, Scobey, Montana 59263, appointed for a term ending 1/2/89.

Mr. Dennis Robinson, Lewistown, Montana 59457, appointed for a term ending 1/2/89.

As a member of the BOARD OF CHIROPRACTORS in accordance with Section No. 2-15-1847, MCA.

Dr. Roger E. Combs, Libby, Montana 59923, appointed for a term ending 1/9/88.

As members of the BOARD OF CRIME CONTROL in accordance with Section No. 2-15-2006, MCA.

Dr. Gordon Browder, Missoula, Montana 59812, reappointed for a term ending 1/2/89.

Mr. J.G. Gottfried, Sweetgrass, Montana 59484, appointed for a term ending 1/2/89.

Mr. Harold Hanser, Billings, Montana 59101, reappointed for a term ending 1/2/89.

Mr. Pedro Hernandez, Billings, Montana 59101, reappointed for a term ending 1/2/89.

The Honorable Matt A. Himsl, Kalispell, Montana 59901, appointed for a term ending 1/1/87.

Mr. Ellis Gene Kiser, Billings, Montana 59101, reappointed for a term ending 1/2/89.

The Honorable Rex Manuel, Fairfield, Montana 59436, reappointed for a term ending 1/2/89.

The Honorable Thomas M. McKittrick, Great Falls, Montana 59401, appointed for a term ending 1/2/89.

Mr. Glenn Osborne, Great Falls, Montana 59401, reappointed for a term ending 1/2/89.

Dr. John Pfaff, Great Falls, Montana 59405, appointed for a term ending 1/2/89.

Mr. Kenneth Rustad, Baker, Montana 59313, reappointed for a term ending 1/2/89.

Mr. Carroll South, Helena, Montana, 59620, reappointed for a term ending 1/2/89.

The Honorable J.A. Turnage, Helena, Montana 59620, reappointed for a term ending 1/2/89.

As members of the FISH AND GAME COMMISSION in accordance with Section No. 2-15-3402, MCA.

Mr. Don Bailey, Forsyth, Montana 59327, reappointed for a term ending 1/2/89.

Mr. Dan Oakland, Great Falls, Montana 59401, reappointed for a term ending 1/2/89.

Dr. James W. Olson, Hamilton, Montana 59840, appointed for a term ending 1/2/89.

As members of the BOARD OF HEALTH AND ENVIRONMENTAL SCIENCES in accordance with Section No. 2-15-2104, MCA.

Mrs. Tennie Bottomly, Belgrade, Montana 59714, reappointed for a term ending 1/2/89.

Mr. Kenneth Lee, Scobey, Montana 59263, reappointed for a term ending 1/2/89.

Dr. Richard P. Swenson, Helena, Montana 59601, appointed for a term ending 1/2/89.

Mr. Edwin Zaidlicz, Billings, Montana 59101, reappointed for a term ending 1/2/89.

As members of the HIGHWAY COMMISSION in accordance with Section No. 2-15-2502, MCA.

Mr. Paul M. Foster, Billings, Montana 59101, reappointed for a term ending 1/2/89.

Mr. Ilert Hellebust, Havre, Montana 59501, reappointed for a term ending 1/2/89.

As members of the BOARD OF INVESTMENTS in accordance with Section No. 2-15-1005, MCA.

Mr. Gary Buchanan, Billings, Montana 59101, appointed for a term ending 1/1/87.

Mr. W.E. "Buster" Schreiber, Whitefish, Montana 59937, reappointed for a term ending 1/2/89.

Mr. Wilber E. Scott, Great Falls, Montana 59401, appointed for a term ending 1/2/89.

Mr. Frederick B. Tossberg, Hamilton, Montana 59840, reappointed for a term ending 1/2/89.

As members of the BOARD OF LIVESTOCK, in accordance with Section No. 2-15-3102, MCA.

Ms. Nancy Espy, Boyes, Montana 59316, reappointed for a term ending 3/1/91.

Mr. James F. Hagenbarth, Dillon, Montana 59725, appointed for a term ending 3/1/91.

As members of the MILK CONTROL BOARD in accordance with Section No. 2-15-1802, MCA.

Ms. Evelyn Itcaina, Dodson, Montana 59524, reappointed for a term ending 1/2/89.

Ms. Bobbye W. Johnson, Miles City, Montana 59301, reappointed for a term ending 1/2/89.

Mr. Kenneth Mortag, Cascade, Montana 59421, reappointed for a term ending 1/2/89.

As members of the MONTANA HEALTH FACILITY AUTHORITY in accordance with Section No. 2-15-1815, MCA.

Ms. Mary D. Munger, Helena, Montana 59601, appointed for a term ending 6/30/87.

Mr. R.H. Robinson, Missoula, Montana 59801, reappointed for a term ending 6/30/88.

Sister Mary Serena Sheehy, Butte, Montana 59701, appointed for a term ending 6/30/86.

Mr. Charles V. Shewey, Bozeman, Montana 59715, appointed for a term ending 6/30/85.

As members of the BOARD OF NATURAL RESOURCES AND CONSERVATION in accordance with Section No. 2-15-3302, MCA.

Mr. Carroll Graham, Lodge Grass, Montana 59050, appointed for a term ending 1/2/89.

Mr. Charles L. Hash, Kalispell, Montana 59901, reappointed for a term ending 1/2/89.

Mr. Dan L. Rieder, Bozeman, Montana 59715, appointed for a term ending 1/2/89.

Mr. Richard Spalding, Billings, Montana 59101, reappointed for a term ending 1/2/89.

As members of the BOARD OF OIL AND GAS CONSERVATION in accordance with Section No. 2-15-3303, MCA.

Mr. Donald D. Cecil, Billings, Montana 59103, appointed for a term ending 1/2/89.

Mr. George Robert Crotty, Great Falls, Montana 59401, appointed for a term ending 1/2/89.

Mr. Arnold G. Hansen, Sidney, Montana 59270, appointed for a term ending 1/2/89.

Mr. Robert Penner, Wolf Point, Montana 59201, reappointed for a term ending 1/2/89.

As members of the BOARD OF PARDONS in accordance with Section No. 2-15-2302, MCA.

Mr. Henry E. Burgess, Helena, Montana 59601, reappointed for a term ending 1/2/89.

Mr. Anthony J. Marra, Havre, Montana 59501, reappointed for a term ending 1/2/89.

Mr. James Welch, Missoula, Montana 59801, reappointed for a term ending 1/2/89.

As members of the BOARD OF PERSONNEL APPEALS in accordance with Section No. 2-15-1705, MCA.

Mr. John Astle, Butte, Montana 59701, reappointed for a term ending 1/2/89.

Mr. Alan L. Joscelyn, Helena, Montana 59601, reappointed for a term ending 1/2/89.

Mr. Lloyd Markell, Helena, Montana 59601, reappointed for a term ending 1/2/89.

As members of the BOARD OF PSYCHOLOGISTS in accordance with Section No. 2-15-1851, MCA.

Mr. Kent Elliott, Miles City, Montana 59301, appointed for a term ending 10/1/86.

Mr. James Charles Whitehead, Helena, Montana 59601, appointed for a term ending 10/1/87.

As a member of the BOARD OF PUBLIC EDUCATION in accordance with Section No. 2-15-1507, MCA.

Mr. Alan D. Nicholson, Helena, Montana 59624, appointed for a term ending 2/1/92.

As members of the BOARD OF REGENTS OF HIGHER EDUCATION in accordance with Section No. 2-15-1505 and 1508, MCA.

Mr. David Paoli, Missoula, Montana 59801, appointed for a term ending 2/1/86.

Mr. John Scully, Bozeman, Montana 59715, appointed for a term ending 2/1/92.

As a member of the BOARD OF SOCIAL AND REHABILITATION APPEALS in accordance with Section No. 2-15-2203, MCA.

Mr. Gerald D. Schultz, Hamilton, Montana 59840, reappointed for a term ending 1/2/89.

As members of the BOARD OF SPEECH PATHOLOGISTS AND AUDIOLOGISTS in accordance with Section No. 2-15-1849, MCA.

Ms. Bette J. Hiner, Helena, Montana 59601, reappointed for a term ending 12/31/87.

Ms. Carol B. Schellack, Dillon, Montana 59725, appointed for a term ending 12/31/87.

As a member of the STATE TAX APPEAL BOARD in accordance with Section No. 15-2-101, MCA.

Ms. Mary Hempleman, Great Falls, Montana 59404, appointed for a term ending 3/1/91.

The Honorable William J. Norman March 18, 1985
President of the Senate
State Capitol
Helena, Montana 59620

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 1, 5, 6, 24, 39, 40, 78, 87, 115, 120, 124, 139, and 143 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bills concurred in and returned to the Senate: 3/18/85

SB 15, introduced by Kolstad

SB 31, introduced by Himsl

SB 46, introduced by Towe

SB 49, introduced by B. Brown

SB 102, introduced by Blaylock

SB 141, introduced by Keating

SB 145, introduced by Mazurek

SB 154, introduced by E. Smith, et al.

SB 158, introduced by Jacobson

SB 162, introduced by Daniels

SB 163, introduced by Harding

SB 164, introduced by Neuman, et al.

SB 165, introduced by Goodover, et al.

SB 166, introduced by McCallum

SB 169, introduced by Harding, et al.

SB 171, introduced by Harding

SB 173, introduced by Haffey, et al.

SB 175, introduced by Blaylock

SB 198, introduced by Christiaens, Darko

SB 201, introduced by Boylan, Schultz

SB 311, introduced by Halligan

SJR 20, introduced by Van Valkenburg, et al.

Senate bills concurred in as amended and returned to the Senate for concurrence in House amendments: 3/18/85

SB 110, introduced by Mazurek, Halligan

SB 140, introduced by Christiaens, et al.

SB 146, introduced by Fuller, et al.

SB 151, introduced by B. Brown, et al.

SB 155, introduced by E. Smith, et al.

SB 310, introduced by Jacobson

SB 345, introduced by Neuman, et al.

Senate amendments to House bills concurred in:

HB 119, introduced by Miles 3/5/85

HB 56, introduced by Gilbert 3/6/85

HB 99, introduced by Bradley

HB 103, introduced by D. Brown

HB 144, introduced by Marks, et al.

HB 52, introduced by Manuel 3/8/85

HB 276, introduced by Bradley, et al. 3/14/85

HB 335, introduced by Bradley, et al.

HB 620, introduced by Bradley, et al.

HB 8, introduced by Marks 3/18/85

HB 72, introduced by Kitselman

HB 215, introduced by Miles, et al.

HB 600, introduced by Mercer, et al.

House bills passed and transmitted to the Senate for concurrence: 3/18/85

HB 851, introduced by Pistoria

HB 858, introduced by Harrington, et al.

HJR 40, introduced by Spaeth, et al.

MOTIONS

Senator Neuman moved that the Senate reconsider its action in requiring a three-fourths vote in order to pass SB 425 on third reading. Motion failed as follows:

Ayes: Anderson, Bengtson, Boylan, Christiaens, Conover, Fuller, Gage, Haffey, Hammond, Harding, Hirsch, Jacobson, Kolstad, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Severson, Towe, Van Valkenburg, Weeding, Mr. President.
Total 24

Noes: Aklestad, Blaylock, Brown, Crippen, Eck, Farrell, Galt, Goodover, Hager, Halligan, Himsl, Keating, Lane, Lynch, McCallum, Regan, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams, Yellowtail.
Total 24

Excused: None.
Total 0

Absent or not voting: Daniels, Stimatz.
Total 2

President Norman ruled that SB 425 is not an appropriation bill and that it would be placed on third reading.

Senator Haffey moved that HB 380, on second reading this legislative day, be moved to the top of the board. Motion carried unanimously.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 208 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Stephens, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 40

Noes: Blaylock, Goodover, Hirsch, Keating, Regan, Shaw, Smith, Stimatz, Story, Tveit.
Total 10

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 425, requiring a three-fourths vote, failed to pass as follows:

Ayes: Anderson, Bengtson, Boylan, Christiaens, Conover, Daniels, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Severson, Stephens, Thayer, Towe, Van Valkenburg, Weeding, Williams, Mr. President.
Total 33

Noes: Aklestad, Blaylock, Brown, Crippen, Eck, Goodover, Himsl, Hirsch, Keating, McCallum, Regan, Shaw, Smith, Stimatz, Story, Tveit, Yellowtail.
Total 17

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 790 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate recess, subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 3:37 p.m.

Senate reconvened at 4:28 p.m.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Aklestad in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 380 - That HB 380 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 390 - That SB 390 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 42

Noes: Hirsch, Neuman, Smith, Weeding.
Total 4

Excused: None.
Total 0

Absent or not voting: Boylan, Daniels, McCallum, Towe.
Total 4

SB 436 - That SB 436, second reading copy, be amended as follows:

1. Page 3, line 7.
Following: "services"

Insert: "which are attributable to the care of the qualifying individual"

2. Page 4, lines 11 and 15.
Following: "~~$18,000~~"
Strike: "$34,000"
Insert: "$26,000"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That SB 436, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Mohar.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 462 - That SB 462 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Regan.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 13 - That House amendments to SB 13 be not concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 79 - That House amendments to SB 79 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 144 - That House amendments to SB 144 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.

Total 0

SB 426 - Senator Van Valkenburg moved that SB 426 be moved to the top of the board. Motion carried unanimously.

SB 426 - That SB 426 do pass. Motion failed as follows:

Ayes: Blaylock, Brown, Daniels, Eck, Fuller, Halligan, Lybeck, Mazurek, McCallum, Mohar, Neuman, Regan, Towe, Van Valkenburg, Weeding, Williams, Mr. President.
Total 17

Noes: Aklestad, Anderson, Bengtson, Boylan, Christiaens, Conover, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Yellowtail.
Total 32

Excused: None.
Total 0

Absent or not voting: Haffey.
Total 1

Senator Van Valkenburg moved that SB 426 be indefinitely postponed. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, McCallum, Mohar, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Williams, Yellowtail, Mr. President.
Total 38

Noes: Blaylock, Brown, Eck, Halligan, Lybeck, Mazurek, Neuman, Pinsoneault, Towe, Van Valkenburg, Weeding.
Total 11

Excused: None.
Total 0

Absent or not voting: Haffey.
Total 1

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Aklestad moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Haffey excused at this time.

Senator Van Valkenburg moved that SB 465 be taken from the Committee on Taxation and that it be placed on second reading on the 60th legislative day. Motion carried as follows:

Ayes: Anderson, Blaylock, Boylan, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lane, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Story, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 26

Noes: Aklestad, Bengtson, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lybeck, McCallum, Severson, Shaw, Smith, Stephens, Thayer, Tveit.
Total 23

Paired: Haffey, Aye; Crippen, No.

Excused: None.
Total 0

Absent or not voting: Towe.
Total 1

FIRST READING OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 851, introduced by Pistoria. Referred to Committee on Taxation.

HB 858, introduced by Harrington, Quilici, Pavlovich, Haffey, Krueger, D. Brown, Stimatz, Jacobson, Lynch. Referred to Committee on Business and Industry.

HJR 40, introduced by Spaeth, Bardanouve, J.K. Moore, Holliday, Raney, Asay, Quilici, Manuel, Schultz, Iverson, Donaldson, Eudaily, Vincent, Keller, Peck, Zabrocki, Harp, Harrington, Kennerly, Kadas, Hansen, Harper, J. Brown, D. Brown, Abrams, Addy, Cody, Nisbet, Hart, M. Williams, Howe, J. Hammond, Rapp-Svrcek, J. Moore, Ellison, Driscoll, Montayne, Wallin, Bachini, Fritz, Bradley, Connelly, Waldron, Ream, O'Connell, McCormick, Pistoria, Hand, Menahan, Poff, Schye, Harbin, Darko, Peterson, Sands, Rehberg, Ramirez. Referred to Committee on Agriculture, Livestock and Irrigation.

Senator Van Valkenburg moved that the Senate adjourn until 2:30 p.m., March 20, 1985.

Motion carried.

Senate adjourned at 6:12 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

SIXTIETH LEGISLATIVE DAY

Helena, Montana
March 20, 1985

Senate Chambers
State Capitol

Senate convened at 2:30 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the fifty-ninth legislative day, find the same to be correct.

Manning, Chairman

COMMUNICATIONS AND PETITIONS

MEMORANDUM

TO: All Members of the Senate

FROM: Bill Norman, President

RE: Environmental Quality Council

I have appointed the following public members to serve on the Environmental Quality Council in accordance with Section 5-6-101:

Tom France, Missoula, Montana and Everett Shuey, Butte, Montana, appointed for a term beginning immediately upon appointment and ending before the 50th day of the 50th legislature.

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 3/19/85
Signed by the President at 5:00 p.m., 3/19/85: SB 3, SB 16, SB 34, SB 35, SB 36, SB 37, SB 42, SB 68, SB 80, SB 84, SB 85, SB 104, SB 117, SB 131, SB 132, SB 133, SB 138, SB 157, SB 190, SJR 4, SJR 12.
Correctly printed and placed on the members' desks: SB 465. 3/20/85
Correctly engrossed: SB 436.
Considered correctly engrossed: SB 390, SB 462.

BUSINESS AND INDUSTRY (Halligan, Chairman): 3/20/85
HB 460, third reading copy, be amended as follows:

1. Title, line 10.
Following: "~~FUND;~~"
Insert: "PROVIDING THAT ALL FUNDS COLLECTED AS A RESULT OF ASSESSMENTS BE DEPOSITED IN THE STATE SPECIAL REVENUE FUND;"

2. Page 2.
Following: line 2
Strike: "THE GENERAL FUND"
Insert: "the state special revenue fund for the use of the department in its examination function"

3. Page 2, line 11.
Following: "~~function~~"
Strike: "THE GENERAL FUND"
Insert: "the state special revenue fund for the use of the department in its examination function"

4. Page 3, lines 9 and 10.
Following: "~~fund of~~" on line 9
Strike: remainder of line 9 through "FUND OF" on line 10

5. Page 3, line 11.
Following: "~~function~~"
Insert: "special revenue fund for the use of the department in its examination function"

And, as amended, be concurred in. Report adopted.

HB 707, third reading copy, be amended as follows:

1. Page 2, line 22.
Following: "PREMISES,"
Insert: "up to 2 feet beyond the building foundation line,"

2. Page 4, lines 17 and 18.
Following: "ranches" on line 17
Strike: remainder of line 17 through "system" on line 18

3. Page 6, line 24.
Following: "NEGLIGENCE"
Strike: ", HABIT, INTEMPERANCE,"

And, as amended, be concurred in. Report adopted.

FISH AND GAME (Conover, Chairman): 3/14/85
HB 136, be concurred in. Report adopted.
HB 167, be concurred in. Report adopted.
HB 692, be concurred in. Report adopted.
HB 734, be concurred in. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stimatz, Chairman): 3/19/85
HB 254, be concurred in. Report adopted.
HB 331, third reading copy, be amended as follows:

1. Page 2, lines 9 through 11.
Following: "vehicle."
Strike: remainder of line 9 through line 11

And, as amended, be concurred in. Report adopted.

HB 424, third reading copy, be amended as follows:

1. Title, lines 9 and 10.
Following: "MCA"
Strike: remainder of line 9 through "DATE" on line 10

2. Page 2, lines 21 and 22.
Strike: section 3 in its entirety

And, as amended, be concurred in. Report adopted.

JUDICIARY (Mazurek, Chairman): 3/20/85
HB 586, be concurred in. Report adopted.
HB 587, be concurred in. Report adopted.
HB 799, be concurred in. Report adopted.
HB 803, be concurred in. Report adopted.
HB 889, third reading copy, be amended as follows:

1. Page 2, line 25.
Following: "trial"
Strike: ":"

2. Page 3, lines 1 through 9.
Strike: line 1 through "(4)" on line 9

And, as amended, be concurred in. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Lynch, Chairman): 3/19/85
HB 453, be concurred in. Report adopted.
HB 554, third reading copy, be amended as follows:

1. Page 2, line 16; page 4, line 22; and page 6, line 7.
Following: "PROJECTS" on each line
Insert: "in the same manner as preference is granted to veterans under 39-30-201"

And, as amended, be concurred in. Report adopted.

HB 599, be concurred in. Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 3/15/85
HB 782, be concurred in. Report adopted.
HB 910, third reading copy, be amended as follows:

1. Page 1, line 22.
Following: "5-17-101"
Strike: ":"
Following: "~~such~~"
Insert: "; however, such"

2. Page 1.
Strike: lines 23, 24 and 25 in their entirety

3. Page 2, line 1.
Strike: "SUCH"

And, as amended, be concurred in. Report adopted.

LOCAL GOVERNMENT (Fuller, Chairman): 3/18/85
HB 277, third reading copy, be amended as follows:

1. Title, line 12.
Following: "~~7-7-2221,~~"
Insert: "7-7-2201, 7-7-2203,"

2. Page 6.
Following: line 18
Insert: "Section 5. Section 7-7-2201, MCA, is amended to read:

"7-7-2201. Purposes for which general obligation bonds of a county may be issued. The board of county commissioners of every county of the state is hereby vested with the power and authority to issue, negotiate, and sell coupon bonds on the credit of the county, as more specifically provided in this part, for any of the following purposes:

(1) acquiring land for sites and grounds for a public building or buildings of any kind within the county and under its control, which the county has lawful authority to acquire or erect, control, and maintain except that if the bonds are sold to fund a multicounty jail facility, funds so raised may be used in the county in which the multicounty jail facility is located;

(2) acquiring land for any other public use or activity within the county, under its control and authorized by law;

(3) constructing, erecting, or acquiring by purchase necessary public buildings within the county, under its control and authorized by law;

making additions to and repairing buildings; and furnishing and equipping the same except that if the bonds are sold to fund a multicounty jail facility, funds so raised may be used in the county in which the multicounty jail facility is located;

(4) building, purchasing, constructing, and maintaining devices intended to protect the safety of the public from open ditches carrying irrigation or other water;

(5) enabling a county to liquidate its indebtedness to another county incident to the creation of a new county or the changing of any county boundary line;

(6) funding, paying, and retiring outstanding county warrants lawfully issued against the county general fund, road fund, bridge fund, or poor fund when:

(a) there is not sufficient money in the fund against which such warrants are drawn to pay and retire such warrants; and

(b) the levying of taxes sufficient to pay and retire such warrants within a period of 3 years would, in the judgment of the board, work a hardship and be an undue burden upon the taxpayers of the county."

Section 6. Section 7-7-2203, MCA, is amended to read:

"7-7-2203. Limitation on amount of bonded indebtedness. (1) Except as provided in subsections (2) ~~and (3)~~ through (4), no county may issue general obligation bonds for any purpose which, with all outstanding bonds and warrants except county high school bonds and emergency bonds, will exceed 11.25% of the taxable value of the property therein, to be ascertained by the last assessment for state and county taxes prior to the proposed issuance of bonds.

(2) ~~A~~ In addition to the bonds allowed by subsection (1), a county may issue bonds which, with all outstanding bonds and warrants, ~~will exceed 11.25% but~~ will not exceed ~~37%~~ 25.75% of the taxable value of ~~such property,~~ the property in the county subject to taxation, when necessary to do so, for the purpose of acquiring land for a site for county high school buildings and for erecting or acquiring buildings thereon and furnishing and equipping the same for county high school purposes.

(3) In addition to the bonds allowed by subsections (1) and (2), a county may issue bonds for the construction or improvement of a jail which will not exceed 12.5% of the taxable value of the property in the county subject to taxation.

~~(3)~~(4) The ~~foregoing~~ limitation in subsection (1) shall not apply to refunding bonds issued for the purpose of paying or retiring county bonds lawfully issued prior to January 1, 1932.""

Renumber: subsequent sections

3. Page 11, line 12.
Following: "county,"
Strike: "and"
Insert: "or"

4. Page 12, line 5.
Following: "county"
Strike: "and"
Insert: "or"

5. Page 13, line 5.
Following: "sheriffs"
Strike: "and"
Insert: "or"

And, as amended, be concurred in. Report adopted.

HB 384, be concurred in. Report adopted.
HB 505, be concurred in. Report adopted.
HB 558, third reading copy, be amended as follows:

1. Title, line 6.
Following: "SERVICES"
Insert: "AND INCREASING THE TIME ALLOWED FOR RECEIVING WRITTEN EXPRESSIONS OF APPROVAL OR DISAPPROVAL"

2. Page 1, line 11.
Following: "period of"
Strike: "20"
Insert: "45"

And, as amended, be concurred in. Report adopted.

HB 727, third reading copy, be amended as follows:

1. Title, line 7.
Following: "~~CONTAMINATION~~"
Insert: "AND TO PROTECT GROUND WATER FROM CONTAMINATION"

2. Page 3, line 12.
Following: "lives~~.~~;"
Strike: "AND"

3. Page 3, line 19.
Following: "~~and~~"
Strike: "."
Insert: "; and"

4. Page 3, line 24.
Following: "~~water.~~"
Insert: "(vi) to protect ground water from chemical and bacterial contamination from surface runoff, bulk materials transport and storage facilities, and other sources that could affect the present or future beneficial uses of ground water on adjacent properties."

And, as amended, be concurred in. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 3/20/85
HB 724, third reading copy, be amended as follows:

1. Title, line 6.
Following: "IN"
Strike: remainder of line 6
Insert: "AN"

2. Title, line 7.
Following: "YEAR"
Insert: ", ON THE NEXT REGULAR SCHOOL ELECTION DAY, OR BY MAIL BALLOT"

3. Page 1, line 15.
Strike: "either"

4. Page 1, lines 16 through 18.
Following: "year" on line 16
Strike: remainder of line 16 through "year" on line 18
Insert: "or on the next regular school election day held in accordance with 20-3-304 [or by mail ballot election as provided by [SB 169],]"

5. Page 2.
Following: line 13
Insert: "NEW SECTION. Section 2. Coordination instruction. The bracketed language in section 1 is effective only if Senate Bill No. 169 is passed and approved."
Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

HB 557, be concurred in. Report adopted.
HB 570, be concurred in. Report adopted.
HB 631, third reading copy, be amended as follows:

1. Page 1, line 20.
Following: "COUNTY"
Insert: "if the election administrator is an appointed official"

2. Page 1, line 21.
Following: "NECESSARY."
Insert: "However, if more than 5% of the electors voting in the last preceding general election voted using paper ballots, the election administrator shall provide paper ballots."

And, as amended, be concurred in. Report adopted.

HB 655, be concurred in. Report adopted.
HB 816, be concurred in. Report adopted.

TAXATION (Towe, Chairman): 3/20/85
HB 177, be concurred in. Report adopted.
HB 346, third reading copy, be amended as follows:

1. Title, lines 5 through 8.
Following: "PROVIDING" on line 5
Strike: remainder of line 5 through "PROVIDING" on line 8

2. Title, lines 11 and 12.
Following: "~~SECTION~~" on line 11
Strike: "SECTIONS 15-70-221 AND"
Insert: "SECTION"

3. Page 1, line 15 through line 13, page 2.
Strike: section 1 in its entirety
Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

HB 469, be concurred in. Report adopted.
HB 544, be concurred in. Report adopted.

Adverse Committee Reports

BUSINESS AND INDUSTRY (Halligan, Chairman): 3/20/85
HB 395, third reading copy, be amended as follows:

1. Page 1, line 23.
Following: "PERSON"
Strike: "UNDER THE LEGAL DRINKING AGE"

2. Page 1, line 24.
Following: "16-3-301"
Insert: "16-6-304,"

3. Page 1, line 24.
Following: "45-5-623,"
Insert: ", or to an employee of the person or entity if the employee is on duty and consumes the alcoholic beverage while on duty"

And, as amended, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Kolstad, Lane, Lybeck, Manning, Mohar, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Mr. President.
Total 34

Noes: Daniels, Fuller, Galt, Hammond, Jacobson, Keating, Lynch, Mazurek, Neuman, Pinsoneault, Williams.
Total 11

Excused: None.
Total 0

Absent or not voting: Blaylock, Farrell, McCallum, Regan, Yellowtail.
Total 5

JUDICIARY (Mazurek, Chairman): 3/20/85
HB 481, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Brown, Himsl, Shaw.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

LABOR AND EMPLOYMENT RELATIONS (Lynch, Chairman): 3/19/85
HB 718, be not concurred in. Committee adopted the following statement of intent:

Statement of Intent
HB 718

It is the intent of the legislature that when the board of personnel appeals adopts rules to implement this bill, that it review the present rules for the departments of highways and fish, wildlife, and parks and determine the extent to which those rules may be applicable to state employees covered by the grievance procedure provided by this bill. It is further the

intent of the legislature that the rules be adopted to provide timely and efficient proceedings while otherwise assuring that employees receive procedural due process and fairness throughout.

Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman):
3/18/85

HB 358, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Daniels, Fuller, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lynch, Neuman, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Williams, Yellowtail.
Total 33

Noes: Boylan, Crippen, Eck, Farrell, Haffey, Jacobson, Lybeck, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Story, Van Valkenburg, Weeding, Mr. President.
Total 17

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

March 19, 1985

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 17, 60, and 123 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bills concurred in and returned to the Senate: 3/19/85

SB 191, introduced by B. Williams, et al.

SB 192, introduced by Christiaens, et al.

SB 193, introduced by Manning, et al.

SB 216, introduced by Boylan, et al.

SB 276, introduced by Harding

SB 303, introduced by Manning, et al.

SB 365, introduced by Eck, et al.

SJR 16, introduced by Yellowtail, et al.

Senate bill concurred in as amended and returned to the Senate for concurrence in House amendments: 3/19/85

SB 212, introduced by Eck, et al.

Senate bill not concurred in and returned to the Senate: 3/19/85

SB 199, introduced by Fuller, et al.

House bills passed and transmitted to the Senate for concurrence: 3/19/85

HB 652, introduced by Switzer, Darko

HB 892, introduced by Harper, et al.

MOTIONS

Senator Lynch moved that SB 442 be taken from second reading this legislative day and that it be rereferred to the Committee on Business and Industry. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Daniels, Eck, Fuller, Gage, Goodover, Hager, Halligan, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Shaw, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 36

Noes: Brown, Crippen, Galt, Hammond, Harding, Himsl, Kolstad, Mohar, Severson, Smith, Stephens, Story.
Total 12

Excused: None.
Total 0

Absent or not voting: Farrell, Haffey.
Total 2

FIRST READING OF BILLS

The following House bills were introduced, read first time, and referred to committee:

HB 652, introduced by Switzer, Darko. Referred to Committee on Taxation.

HB 892, introduced by Harper, Ream, Connelly, Grady, Harp, Iverson, Brandewie, Yellowtail, Keenan, Mazurek, Mohar, E. Smith, Schye, Kadas, Bardanouve, Abrams. Referred to Committee on Taxation.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 234 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 330 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 390 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Neuman.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 436 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 45

Noes: Galt, Hammond, Mohar, Thayer, Weeding.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 455 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Hammond, Halligan, Harding, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Gage, Keating, Kolstad, McCallum, Shaw, Story, Tveit.
Total 7

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 462 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 114 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman,

Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Hammond, Keating, Kolstad, Story, Thayer.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 379 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: McCallum, Pinsoneault, Tveit.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 463 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 47

Noes: Eck, Towe, Yellowtail.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 464 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 45

Noes: Eck, Neuman, Regan, Towe, Yellowtail.

Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 523 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Goodover, Haffey, Halligan, Hammond, Harding, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 34

Noes: Aklestad, Crippen, Gage, Galt, Hager, Himsl, Hirsch, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Tveit, Williams.
Total 16

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 649 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Crippen, Halligan, Himsl, Mohar.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 732 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.

Total 0

HB 748 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 852 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of Senator Keating, and without objection, Senator Keating's vote on HB 464 be recorded as yes.

At the request of Senator Keating, and without objection, Senator Keating's vote on HB 523 be recorded as no.

At the request of Senator Hammond, and without objection, Senator Hammond's vote on SB 455 be recorded as yes.

At the request of Senator Weeding, and without objection, Senator Weeding's vote on SB 436 be recorded as no.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Mohar in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 391 - That SB 391, second reading copy, be amended as follows:

1. Page 12, line 2.
Following: "application;"
Insert: "however, if a stockholder owning at least 55% of the stock is presently the holder of a license this requirement is waived;"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That SB 391, second reading copy, be further amended as follows:

1. Page 10.
Following: line 17
Insert: "(2) In each fiscal year, $100,000 is allocated to the department of institutions to be used for grants, under rules adopted by the department, to private nonprofit organizations conducting programs that provide for the treatment of social problems associated with gambling."
Renumber: subsequent subsection

Amendment failed as follows:

Ayes: Blaylock, Christiaens, Eck, Fuller, Haffey, Hager, Jacobson, Lybeck, Lynch, Manning, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Mr. President.
Total 16

Noes: Aklestad, Anderson, Bengtson, Boylan, Brown, Conover, Crippen, Daniels, Farrell, Gage, Galt, Goodover, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Mazurek, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Thayer, Tveit, Williams, Yellowtail.
Total 32

Excused: None.
Total 0

Absent or not voting: McCallum, Story.
Total 2

That SB 391, second reading copy, be further amended by adding the following statement of intent:

Statement of Intent
SB 391

A statement of intent is required for this bill because section 7 grants the department of revenue rulemaking authority.

The rules should at a minimum:

(1) ensure the integrity and security of the system's machines, computers, and communications network;

(2) provide for investigation procedures;

(3) provide a method of checking the qualifications of licensees;

(4) set up accounting techniques; and

(5) provide for licenses that may be attached to machines.

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimątz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That SB 391, second reading copy, be further amended as follows:

1. Title, line 10.
Following: "PROVISION;"
Insert: "PROVIDING THAT THE ACT BE SUBMITTED TO THE ELECTORS OF THE STATE OF MONTANA;"

2. Title, line 11.
Following: "PROVIDING"
Strike: "AN IMMEDIATE"
Insert: "A CONTINGENT"

3. Page 16, lines 4 and 5.
Following: "date."
Strike: remainder of lines 4 and 5 in their entirety
Insert: "If approved by the electorate, sections 1 through 13 of this act are effective January 1, 1987."

4. Page 16.
Following: line 5
Insert: "Section 15. Submission to electorate. The question of whether sections 1 through 13 of this act will become effective shall be submitted to the electors of the state of Montana at the general election to be held in November 1986 by printing on the ballot the full title of this act and the following:

[ ] FOR allowing video draw poker.

[ ] AGAINST allowing video draw poker."

Amendment failed as follows:

Ayes: Aklestad, Brown, Crippen, Eck, Gage, Galt, Hager, Hammond, Harding, Himsl, Keating, Kolstad, Lybeck, Mazurek, McCallum, Regan, Smith, Story, Towe, Yellowtail.

Total 20

Noes: Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Daniels, Farrell, Fuller, Goodover, Haffey, Halligan, Hirsch, Jacobson, Lane, Manning, Mohar, Neuman, Pinsoneault, Severson, Shaw, Stephens, Stimatz, Thayer, Tveit, Van Valkenburg, Weeding, Williams.
Total 28

Excused: None.
Total 0

Absent or not voting: Lynch, Mr. President.
Total 2

That SB 391, as amended, do pass. Motion failed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Christiaens, Daniels, Farrell, Goodover, Halligan, Hirsch, Lane, Mohar, Neuman, Story, Thayer, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 19

Noes: Aklestad, Brown, Conover, Crippen, Eck, Fuller, Gage, Galt, Haffey, Hager, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Towe, Tveit, Weeding.
Total 31

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Brown moved that SB 391 be indefinitely postponed. Motion failed as follows:

Ayes: Aklestad, Blaylock, Brown, Crippen, Eck, Gage, Galt, Hager, Halligan, Hammond, Harding, Himsl, Keating, Kolstad, Lybeck, Mazurek, McCallum, Pinsoneault, Regan, Severson, Shaw, Stephens, Weeding.
Total 23

Noes: Anderson, Bengtson, Boylan, Christiaens, Conover, Daniels, Farrell, Fuller, Goodover, Haffey, Hirsch, Jacobson, Lane, Lynch, Manning, Mohar, Neuman, Smith, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 27

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 431 - That SB 431, second reading copy, be amended as follows:

1. Page 1, lines 21 and 22.
Following: "AGRICULTURAL USE" on line 21
Strike: remainder of line 21 through "use" on line 22

2. Page 2.
Following: line 16
Strike: subsection (b) in its entirety
Renumber: subsequent subsections

3. Page 2.

Following: line 24
Strike: subsection (c) in its entirety
Renumber: subsequent subsections

4. Page 3, line 11.
Following: "the"
Strike: "qualifications"
Insert: "qualification"

5. Page 3.
Following: line 11
Strike: "subsections"
Insert: "subsection"
Following: "(1)(a)"
Strike: "through"
Following: "(1)(e)"
Strike: "(1)(D)"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Eck, Farrell, Fuller, Gage, Galt, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams.
Total 36

Noes: Crippen, Goodover, Hager, Halligan, Hammond, Himsl, McCallum, Stephens, Van Valkenburg, Yellowtail.
Total 10

Excused: None.
Total 0

Absent or not voting: Brown, Daniels, Haffey, Mr. President.
Total 4

At the request of the Chairman, and without objection, SB 431 was moved below SB 465.

SB 465 - That SB 465, second reading copy, be amended as follows:

1. Page 8, line 21.
Following: "the"
Strike: "department's"
Insert: "board of regents'"

2. Page 8, line 24.
Following: "the"
Strike: "department"
Insert: "board of regents'"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.

Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That SB 465, as amended, do pass. Motion carried as follows:

Ayes: Anderson, Blaylock, Boylan, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Stimatz, Story, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 26

Noes: Aklestad, Bengtson, Brown, Crippen, Farrell, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lybeck, Neuman, Severson, Shaw, Smith, Stephens, Thayer, Tveit, Weeding.
Total 23

Excused: None.
Total 0

Absent or not voting: Gage.
Total 1

At the request of the Chairman, and without objection, SB 431 was moved below SB 54.

SB 54 - That House amendments to SB 54 be not concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 431 - That SB 431, second reading copy, be further amended as follows:

1. Page 5.
Following: line 7
Insert: "NEW SECTION. Section 5. Coordination instruction. In the event neither Senate Bill No. 48 nor House Bill No. 240 nor any other bill that separates timberland from agricultural land in class 3, as described in 15-6-133, is passed and approved, make the following amendment:

Section 1.
Following: subsection (1)(c)

Insert: "(d) it contains over 5 contiguous acres and is used for growing timber.""

Renumber: subsequent section

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Lynch excused at this time.

That SB 431, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Galt, Halligan, Hammond, Hirsch, Jacobson, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 35

Noes: Bengtson, Brown, Crippen, Gage, Goodover, Haffey, Hager, Harding, Himsl, Keating, McCallum, Stephens.
Total 12

Excused: Lynch.
Total 1

Absent or not voting: Boylan, Kolstad.
Total 2

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Mohar moved the adoption of the committee report. Report adopted.

At the request of Senator Van Valkenburg, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Kolstad excused at this time.

Senator Van Valkenburg moved that SB 391 be taken from second reading and that it be rereferred to the Committee on Business and Industry. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch,

Jacobson, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Keating.
Total 1

Excused: Kolstad, Lynch.
Total 2

Absent or not voting: None.
Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 431 passed as follows:

Ayes: Aklestad, Anderson, Blaylock, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Halligan, Hammond, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 38

Noes: Bengtson, Boylan, Brown, Crippen, Goodover, Haffey, Hager, Harding, Himsl, Keating, McCallum.
Total 11

Paired: Kolstad, Lynch, Ayes; Crippen, McCallum, Noes.

Excused: None.
Total 0

Absent or not voting: Mr. President.
Total 1

SB 465 passed as follows:

Ayes: Anderson, Blaylock, Boylan, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Haffey, Halligan, Jacobson, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Stimatz, Story, Towe, Van Valkenburg, Williams, Yellowtail.
Total 26

Noes: Aklestad, Bengtson, Brown, Crippen, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lybeck, Neuman, Severson, Shaw, Smith, Stephens, Thayer, Tveit, Weeding.
Total 23

Paired: Jacobson, Lynch, Ayes; Kolstad, Stephens, Noes.

Excused: None.
Total 0

Absent or not voting: Mr. President.
Total 1

Senator Van Valkenburg moved that the Senate adjourn until 2:30 p.m., March 21, 1985.

Motion carried.

Senate adjourned at 6:12 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

SIXTY-FIRST LEGISLATIVE DAY

Helena, Montana
March 21, 1985

Senate Chambers
State Capitol

Senate convened at 2:37 p.m., President Norman presiding. Invocation by the Chaplain, Pastor Monsen. Pledge of Allegiance to the Flag.

Roll call. All members present except Williams, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the sixtieth legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 3/19/85
Examined by the sponsor (Norman) and found to be correct: SB 121.
Examined by the sponsor (Kolstad) and found to be correct: SB 15.
3/20/85
Examined by the sponsor (Himsl) and found to be correct: SB 31.
Examined by the sponsor (Brown) and found to be correct: SB 49.
Examined by the sponsor (Blaylock) and found to be correct: SB 102.
Examined by the sponsor (Keating) and found to be correct: SB 141.
Examined by the sponsor (Smith) and found to be correct: SB 154.
Examined by the sponsor (Jacobson) and found to be correct: SB 158.
Examined by the sponsor (Daniels) and found to be correct: SB 162.
Examined by the sponsor (Harding) and found to be correct: SB 163.
Examined by the sponsor (Neuman) and found to be correct: SB 164.
Examined by the sponsor (Goodover) and found to be correct: SB 165.
Examined by the sponsor (McCallum) and found to be correct: SB 166.
Examined by the sponsor (Harding) and found to be correct: SB 169.
Examined by the sponsor (Harding) and found to be correct: SB 171.
Examined by the sponsor (Haffey) and found to be correct: SB 173.
Examined by the sponsor (Blaylock) and found to be correct: SB 175.
Examined by the sponsor (Williams) and found to be correct: SB 191.
Examined by the sponsor (Manning) and found to be correct: SB 193.
Examined by the sponsor (Boylan) and found to be correct: SB 201.
Examined by the sponsor (Boylan) and found to be correct: SB 216.
Examined by the sponsor (Harding) and found to be correct: SB 276.
Examined by the sponsor (Manning) and found to be correct: SB 303.
Examined by the sponsor (Halligan) and found to be correct: SB 311.
Correctly enrolled: SB 15, SB 31, SB 49, SB 102, SB 121, SB 141, SB 154, SB 158, SB 162, SB 163, SB 164, SB 165, SB 166, SB 169, SB 171, SB 173, SB 175, SB 191, SB 192, SB 193, SB 198, SB 201, SB 216, SB 276, SB 303, SB 311, SB 365. 3/21/85
Examined by the sponsor (Christiaens) and found to be correct: SB 192.
Examined by the sponsor (Christiaens) and found to be correct: SB 198.
Examined by the sponsor (Eck) and found to be correct: SB 365.
Signed by the President at 10:00 a.m., 3/21/85: HB 181, HB 289, HB 299, HB 337, HB 361, HB 362, HB 432, HB 524, HB 526, HB 547, HB 644.
Signed by the President at 2:00 p.m., 3/21/85: SB 15, SB 31, SB 49, SB 102, SB 121, SB 141, SB 154, SB 158, SB 162, SB 163, SB 164, SB 165, SB 166, SB 169, SB 171, SB 173, SB 175, SB 191, SB 192, SB 193, SB 198, SB 201, SB 216, SB 276, SB 303, SB 311, SB 365.
Delivered to the Governor for his approval at 9:00 a.m., 3/21/85: SB 16, SB 34, SB 35, SB 36, SB 37, SB 42, SB 68, SB 80, SB 84, SB 85, SB 104, SB 117, SB 131, SB 132, SB 133, SB 138, SB 157, SB 190.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Boylan, Chairman): 3/20/85

HB 401, be concurred in. Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 3/21/85

HB 606, be concurred in. Report adopted.
HB 658, be concurred in. Report adopted.
HB 662, be concurred in. Report adopted.

NATURAL RESOURCES (Eck, Chairman): 3/20/85

HB 637, be concurred in. Report adopted.
HB 680, third reading copy, be amended as follows: 3/21/85

1. Title, line 20.
Following: "~~75-20-216,~~"
Insert: "75-20-202,"

2. Page 3, lines 15 and 17, and page 6, line 3.
Strike: "12"
Insert: "13"

3. Page 8, line 20.
Following: "River"
Insert: "and its tributaries"

4. Page 9, line 2.
Strike: "12"
Insert: "13"

5. Page 11, line 19.
Following: "requirements"
Insert: ", including requirements for reserved water rights held by the United States for federal reserved lands and in trust for the various Indian tribes within the state's boundaries"

6. Page 20, lines 21 and 22.
Following: "by" on line 21
Strike: "clear and convincing"
Insert: "substantial credible"

7. Page 22, line 7.
Following: "requirements"
Insert: ", including requirements for reserved water rights held by the United States for federal reserved lands and in trust for the various Indian tribes within the state's boundaries"

8. Page 26, line 5.
Following: "IN"
Insert: "inside"

9. Page 29, line 4.
Following: "in"
Insert: "inside"

10. Page 33.
Following: line 12
Insert: "Section 9. Section 75-20-202, MCA, is amended to read:

"75-20-202. Exemptions. (1) A certificate is not required under this chapter for a facility under diligent onsite physical construction or in operation on January 1, 1973.

(2) The board may adopt reasonable rules establishing exemptions from this chapter for the relocation, reconstruction, or upgrading of a facility that:

(a) would otherwise be covered by this chapter; and

(b) (i) is unlikely to have a significant environmental impact by reason of length, size, location, available space or right-of-way, or construction methods; or

(ii) utilizes coal, wood, biomass, grain, wind, or sun as a fuel source and the technology of which will result in greater efficiency, promote energy conservation, and promote greater system reliability than the existing facility.

(3) This chapter does not apply to a facility defined in 75-20-104(10)(c) that has been designated by the governor for environmental review by an executive agency of the state for the purpose of complying with Title 75, chapter 1, pursuant to Executive Order 4-81 and prior to [the effective date of this act].""

Renumber: subsequent sections

11. Page 44, line 15.
Following: "River"
Insert: "and its tributaries"

12. Page 49, line 17.
Strike: "12"
Insert: "13"

13. Page 49, line 22.
Following: "file"
Strike: "a claim"
Insert: "an application"

14. Page 53, lines 8 and 23, and page 54, line 16.
Strike: "19"
Insert: "20"

15. Page 57, lines 2 and 5.
Strike: "12,15, AND 19"
Insert: "13, 16, and 20"

And, as amended, be concurred in. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
HB 680

A statement of intent is needed for House Bill 680 because section 21 extends the authority of the board and the department of natural resources and conservation to adopt rules relating to the provisions of the bill. Such extension of authority would include the authority to adopt rules relating to the implementation of water reservations on the Missouri River basin under section 15 and relating to the leasing of water under section 12.

In their implementation of this bill, the long-range goal of the board and the department must be to conserve and protect the water resources of Montana for the use of all Montanans. Since agricultural uses of water constitute the largest uses by far, and a healthy economy of the state depends upon agriculture, the agricultural uses of water in Montana must be particularly conserved and protected.

In developing rules implementing this bill, and in entering into lease agreements with potential water users under section 12, it is the intent of the legislature that the department establish leasing rates which are commercially reasonable and take into account the financial abilities of a particular sector of the economy to lease water at various rates. Accordingly,

it is contemplated that leasing rates for agricultural uses of water will be considerably lower than rates for industrial uses, as an example.

It is also the intent of the legislature that water be made available through the leasing program at minimal cost to potential users who may wish to benefit from a water use project of a third party. An example would be an irrigation district or a municipality in Montana that may desire to tap into a pipeline conveying water out of state. Provision for such incidental beneficial uses is authorized under section 12(8) of the bill.

In entering into a lease of water, the department shall include a provision in the lease that other existing or planned uses of water in Montana will be fully protected during a low-water year. All of the criteria listed in 85-2-311 must be applied and considered by the department before it decides to enter into a lease of water.

In the implementation of water reservations in the Missouri River basin, it is the intent of the legislature that applicants for agricultural reservations be given equal treatment and opportunity to reserve water as that afforded applicants for instream uses. To the extent possible, equal treatment and opportunity includes the provision of financial resources and technical assistance to such applicants.

If an application for a slurry pipeline is received by the department of natural resources and conservation under the Montana Major Facility Siting Act, it is the intent of the legislature that the department and board of natural resources and conservation shall consider and document the potential adverse economic impacts, if any, on railroads and railroad employment as required by 75-20-301(3) and 75-20-503. The board shall also, to the extent feasible, require mitigation of these adverse impacts.

HB 698, be concurred in. Report adopted. 3/20/85
HB 860, be concurred in. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman): 3/20/85

HB 738, be concurred in. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 3/21/85
HB 291, be concurred in. Report adopted.
HB 292, be concurred in. Report adopted.
HB 421, be concurred in. Report adopted.

TAXATION (Towe, Chairman): 3/21/85
HB 580, be concurred in. Report adopted.
HB 596, third reading copy, be amended as follows:

1. Page 4, line 4.
Following: "association"
Insert: "not organized for profit and no part of the net income of which inures to the benefit of any member, but is"

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bills concurred in and returned to the Senate: 3/20/85

SB 43, introduced by Towe

SB 44, introduced by Towe

SB 50, introduced by B. Brown

SB 92, introduced by Christiaens, et al.

SB 93, introduced by Christiaens, et al.

SB 94, introduced by McCallum

Senate bill not concurred in and returned to the Senate: 3/20/85

SB 432, introduced by Eck, et al.

MOTIONS

Senator Neuman excused at this time.

Senator Pinsoneault moved that the Senate reconsider its action in adopting the adverse committee report on HB 358. Motion carried as follows:

Ayes: Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Halligan, Harding, Jacobson, Lane, Manning, Mazurek, McCallum, Pinsoneault, Regan, Towe, Van Valkenburg, Weeding, Mr. President.
Total 26

Noes: Aklestad, Blaylock, Daniels, Gage, Hager, Hammond, Himsl, Hirsch, Keating, Kolstad, Lybeck, Mohar, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Williams, Yellowtail.
Total 22

Paired: Crippen, Aye; Williams, No.

Excused: Neuman.
Total 1

Absent or not voting: Lynch.
Total 1

Senator Pinsoneault moved that HB 358 be returned from the House and that it be placed on second reading. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Jacobson, Kolstad, Lane, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Shaw, Smith, Stephens, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 37

Noes: Aklestad, Gage, Himsl, Hirsch, Keating, Lybeck, Severson, Story.
Total 8

Excused: Neuman, Williams.
Total 2

Absent or not voting: Hager, Lynch, Stimatz.
Total 3

Senator Thayer moved that the Senate reconsider its action in adopting the adverse committee report on HB 395. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Conover, Crippen, Daniels, Farrell, Fuller, Galt, Goodover, Hammond, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Williams, Yellowtail, Mr. President.
Total 36

Noes: Brown, Christiaens, Eck, Gage, Haffey, Hager, Halligan, Harding, Kolstad, Regan, Shaw, Van Valkenburg, Weeding.
Total 13

Paired: Williams, Aye; Christiaens, No.

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

Senator Thayer moved that HB 395 be returned from the House and that it be rereferred to the Committee on Business and Industry. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Neuman, Williams.
Total 2

Absent or not voting: Kolstad, Stimatz, Towe.
Total 3

Senator Smith moved that the rules be temporarily suspended in order to allow for the introduction of a resolution. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Neuman, Williams.
Total 2

Absent or not voting: Bengtson, Halligan.
Total 2

Senator Van Valkenburg moved that the rules be temporarily suspended in order to allow all matters considered in the Joint Long-Range Planning Committee to be extended from the 70th legislative day to the 75th legislative day. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Neuman, Williams.
Total 2

Absent or not voting: Bengtson, Halligan, Yellowtail.
Total 3

FIRST READING OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SJR 35, introduced by Blaylock. Referred to Committee on State Administration.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 79, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Neuman, Williams.
Total 2

Absent or not voting: Halligan.
Total 1

SB 144, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 46

Noes: Boylan.
Total 1

Excused: Neuman, Williams.
Total 2

Absent or not voting: Halligan.
Total 1

HB 380 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz,

Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Neuman, Williams.
Total 2

Absent or not voting: Halligan.
Total 1

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Galt in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 359 - Senator Van Valkenburg moved that consideration on HB 359 be passed. Motion carried unanimously.

HB 373 - That HB 373 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Neuman, Williams.
Total 2

Absent or not voting: None.
Total 0

HB 817 - That HB 817 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Neuman, Williams.

Total 2

Absent or not voting: None.
Total 0

HB 21 - That HB 21 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Neuman, Williams.
Total 2

Absent or not voting: None.
Total 0

HB 185 - That HB 185 be concurred in. Motion failed as follows:

Ayes: Anderson, Bengtson, Boylan, Conover, Daniels, Farrell, Galt, Haffey, Jacobson, Lybeck, Lynch, Manning, Mazurek, McCallum, Smith, Stimatz, Thayer, Tveit, Yellowtail, Mr. President.
Total 20

Noes: Aklestad, Blaylock, Brown, Christiaens, Eck, Fuller, Gage, Goodover, Hager, Halligan, Harding, Himsl, Hirsch, Keating, Kolstad, Mohar, Pinsoneault, Severson, Shaw, Story, Van Valkenburg, Weeding.
Total 22

Excused: Neuman, Williams.
Total 2

Absent or not voting: Crippen, Hammond, Lane, Regan, Stephens, Towe.
Total 6

Senator Van Valkenburg moved that HB 185 be indefinitely postponed. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Fuller, Gage, Galt, Goodover, Hager, Halligan, Harding, Himsl, Hirsch, Keating, Kolstad, McCallum, Mohar, Pinsoneault, Severson, Shaw, Story, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 31

Noes: Bengtson, Daniels, Farrell, Haffey, Jacobson, Lybeck, Lynch, Manning, Mazurek, Smith, Stimatz, Thayer.
Total 12

Excused: Neuman, Williams.
Total 2

Absent or not voting: Hammond, Lane, Regan, Stephens, Towe.
Total 5

HB 238 - That HB 238 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Neuman, Williams.
Total 2

Absent or not voting: None.
Total 0

HB 245 - That HB 245 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Neuman, Williams.
Total 2

Absent or not voting: None.
Total 0

HB 339 - That HB 339 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Neuman, Williams.
Total 2

Absent or not voting: None.
Total 0

HB 394 - That HB 394 be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Galt, Goodover, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Mazurek, Mohar, Regan, Severson, Stephens, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 32

Noes: Aklestad, Gage, Pinsoneault, Shaw, Smith.
Total 5

Excused: Neuman, Williams.
Total 2

Absent or not voting: Conover, Fuller, Haffey, Hager, Hammond, Lybeck, Lynch, Manning, McCallum, Story, Tveit.
Total 11

HB 406 - That HB 406 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 47

Noes: Boylan.
Total 1

Excused: Neuman, Williams.
Total 2

Absent or not voting: None.
Total 0

HB 470 - That HB 470 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Neuman, Williams.
Total 2

Absent or not voting: None.
Total 0

Senator Van Valkenburg excused at this time.

HB 478 - That HB 478 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Neuman, Van Valkenburg, Williams.
Total 3

Absent or not voting: None.
Total 0

HB 484 - That HB 484 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Neuman, Van Valkenburg, Williams.
Total 3

Absent or not voting: None.
Total 0

HB 488 - That HB 488 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Neuman, Van Valkenburg, Williams.
Total 3

Absent or not voting: None.
Total 0

HB 581 - That HB 581 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Neuman, Van Valkenburg, Williams.
Total 3

Absent or not voting: None.
Total 0

HB 618 - That HB 618 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Neuman, Van Valkenburg, Williams.
Total 3

Absent or not voting: None.
Total 0

HB 653 - That HB 653 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 45

Noes: Boylan, Thayer.
Total 2

Excused: Neuman, Van Valkenburg, Williams.
Total 3

Absent or not voting: None.
Total 0

HB 800 - That HB 800 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 43

Noes: Fuller, Hager, Shaw, Thayer.
Total 4

Excused: Neuman, Van Valkenburg, Williams.
Total 3

Absent or not voting: None.
Total 0

HB 820 - That HB 820 be concurred in. Motion carried as follows:

Ayes: Anderson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Fuller, Galt, Haffey, Hager, Halligan, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Pinsoneault, Stimatz, Towe, Yellowtail, Mr. President.
Total 24

Noes: Aklestad, Bengtson, Gage, Goodover, Harding, Himsl, Hirsch, Keating, Kolstad, Shaw, Smith, Stephens, Thayer, Tveit.

Total 14

Excused: Neuman, Van Valkenburg, Williams.
Total 3

Absent or not voting: Conover, Eck, Farrell, Hammond, Mohar, Regan, Severson, Story, Weeding.
Total 9

SB 90 - That House amendments to SB 90 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Neuman, Van Valkenburg, Williams.
Total 3

Absent or not voting: None.
Total 0

SB 91 - Senator Mazurek moved that consideration on House amendments to SB 91 be passed until the 64th legislative day, 3/25/85. Motion carried unanimously.

SB 109 - That House amendments to SB 109 be not concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Neuman, Van Valkenburg, Williams.
Total 3

Absent or not voting: None.
Total 0

SB 134 - That House amendments to SB 134 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Neuman, Van Valkenburg, Williams.
Total 3

Absent or not voting: None.
Total 0

HB 186 - That HB 186 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Neuman, Van Valkenburg, Williams.
Total 3

Absent or not voting: None.
Total 0

Senator Neuman present at this time.

HB 286 - That HB 286 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Van Valkenburg, Williams.
Total 2

Absent or not voting: None.
Total 0

HB 371 - At the request of Senator Thayer, and without objection, HB 371 be placed below HB 561.

HB 561 - That HB 561 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.

Total 0

Excused: Van Valkenburg, Williams.
Total 2

Absent or not voting: None.
Total 0

HB 371 - At the request of the Chairman, and without objection, HB 371 be placed below HB 737.

Senator Aklestad in the Chair.

HB 621 - That HB 621 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Van Valkenburg, Williams.
Total 2

Absent or not voting: None.
Total 0

HB 706 - At the request of Senator Pinsoneault, and without objection, HB 706 be placed below HB 746.

HB 716 - At the request of Senator Aklestad, and without objection, that consideration on HB 716 be passed.

HB 737 - That HB 737 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Van Valkenburg, Williams.
Total 2

Absent or not voting: None.
Total 0

HB 371 - At the request of Senator Aklestad, and without objection, HB 371 be placed below House amendments to SB 110.

HB 801 - That HB 801 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Van Valkenburg, Williams.
Total 2

Absent or not voting: None.
Total 0

Senator Galt in the Chair.

HB 831 - That HB 831 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Van Valkenburg, Williams.
Total 2

Absent or not voting: None.
Total 0

HJR 15 - That HJR 15 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Van Valkenburg, Williams.
Total 2

Absent or not voting: None.
Total 0

HJR 32 - Senator Goodover moved that consideration on HJR 32 be passed until the 64th legislative day, 3/25/85. Motion carried unanimously.

SB 110 - Senator Mazurek moved that consideration on House amendments to SB 110 be passed. Motion carried unanimously.

HB 371 - Senator Mazurek moved that HB 371 be moved to the bottom of the board. Motion carried unanimously.

SB 140 - That House amendments to SB 140 be concurred in. Motion carried as follows:

Ayes: Bengtson, Christiaens, Conover, Crippen, Eck, Fuller, Hager, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Mazurek, Mohar, Neuman, Regan, Stephens, Thayer, Towe, Tveit, Yellowtail.
Total 21

Noes: Aklestad, Anderson, Boylan, Gage, Goodover, Harding, Himsl, Keating, McCallum, Shaw, Story, Weeding.
Total 12

Excused: Van Valkenburg, Williams.
Total 2

Absent or not voting: Blaylock, Brown, Daniels, Farrell, Galt, Haffey, Halligan, Hammond, Lynch, Manning, Pinsoneault, Severson, Smith, Stimatz, Mr. President.
Total 15

SB 146 - That House amendments to SB 146 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Crippen, Eck, Fuller, Gage, Goodover, Haffey, Hager, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Pinsoneault, Severson, Shaw, Stephens, Story, Thayer, Towe, Tveit, Weeding, Mr. President.
Total 32

Noes: Blaylock, Christiaens, Conover, Harding, Himsl, Mohar, Neuman, Regan, Yellowtail.
Total 9

Excused: Van Valkenburg, Williams.
Total 2

Absent or not voting: Daniels, Farrell, Galt, Halligan, Hammond, Smith, Stimatz.
Total 7

SB 151 - That House amendments to SB 151 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Van Valkenburg, Williams.
Total 2

Absent or not voting: None.
Total 0

SB 155 - At the request of Senator Stephens, and without objection, consideration on House amendments to SB 155 be passed until the 64th legislative day, 3/25/85.

SB 310 - That House amendments to SB 310 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Van Valkenburg, Williams.
Total 2

Absent or not voting: None.
Total 0

SB 345 - That House amendments to SB 345 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Van Valkenburg, Williams.
Total 2

Absent or not voting: None.
Total 0

HB 2 - That HB 2 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Van Valkenburg, Williams.
Total 2

Absent or not voting: None.

Total 0

HB 239 - That HB 239 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Van Valkenburg, Williams.
Total 2

Absent or not voting: None.
Total 0

HB 274 - That HB 274 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Van Valkenburg, Williams.
Total 2

Absent or not voting: None.
Total 0

HB 288 - At the request of Senator Tveit, and without objection, HB 288 be moved to the bottom of the board.

HB 414 - That HB 414 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Van Valkenburg, Williams.
Total 2

Absent or not voting: None.
Total 0

HB 436 - Senator Neuman moved that HB 436 be placed below HB 483. Motion carried unanimously.

HB 483 - That HB 483 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Van Valkenburg, Williams.
Total 2

Absent or not voting: None.
Total 0

HB 436 - That HB 436 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Van Valkenburg, Williams.
Total 2

Absent or not voting: None.
Total 0

HB 550 - That HB 550 be concurred in. Motion failed as follows:

Ayes: Blaylock, Brown, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Himsl, Jacobson, Keating, Lynch, Manning, Mazurek, Pinsoneault, Regan, Towe, Yellowtail.
Total 18

Noes: Aklestad, Anderson, Bengtson, Boylan, Christiaens, Crippen, Gage, Goodover, Hirsch, Kolstad, Lane, Lybeck, Mohar, Neuman, Severson, Stephens, Story, Thayer, Tveit, Weeding, Mr. President.
Total 21

Excused: Van Valkenburg, Williams.
Total 2

Absent or not voting: Farrell, Galt, Hager, Hammond, Harding, McCallum, Shaw, Smith, Stimatz.
Total 9

Senator Aklestad moved that HB 550 be indefinitely postponed. Motion failed as follows:

Ayes: Aklestad, Harding, Hirsch, Tveit, Mr. President.
Total 5

Noes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Halligan, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Story, Thayer, Towe, Weeding, Yellowtail.
Total 36

Excused: Van Valkenburg, Williams.
Total 2

Absent or not voting: Farrell, Galt, Hager, Hammond, McCallum, Smith, Stimatz.
Total 7

HB 564 - That HB 564 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Van Valkenburg, Williams.
Total 2

Absent or not voting: None.
Total 0

HB 608 - That HB 608, third reading copy, be amended as follows:

1. Page 3, line 25.
Following: "residence"
Insert: "but within the state of Montana"

2. Page 6, line 4.
Following: "residence"
Insert: "but within the state of Montana"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Van Valkenburg, Williams.
Total 2

Absent or not voting: None.
Total 0

That HB 608, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Van Valkenburg, Williams.
Total 2

Absent or not voting: None.
Total 0

HB 635 - Senator Goodover moved that consideration on HB 635 be passed until the 64th legislative day, 3/25/85. Motion carried unanimously.

HB 685 - That HB 685 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Van Valkenburg, Williams.
Total 2

Absent or not voting: None.
Total 0

HB 746 - That HB 746 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Van Valkenburg, Williams.
Total 2

Absent or not voting: None.
Total 0

HB 706 - That HB 706 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Van Valkenburg, Williams.
Total 2

Absent or not voting: None.
Total 0

HB 371 - That HB 371 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Van Valkenburg, Williams.
Total 2

Absent or not voting: None.
Total 0

HB 288 - That HB 288 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Van Valkenburg, Williams.
Total 2

Absent or not voting: None.
Total 0

Senator Christiaens moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair.

Chairman Galt moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

BUSINESS AND INDUSTRY (Halligan, Chairman): 3/21/85

HB 577, third reading copy, be amended as follows:

1. Page 3, line 13.
Following: "private"
Insert: "telecommunications"

2. Page 3, line 24.
Following: "13]."
Insert: "An occasional or accomodative use of a private telecommunication system by a third person is not a violation of this section."

3. Page 4, line 22.
Following: "regulated"
Insert: "or are not tariffed"
Following: "."
Strike: "Revenues and expenses"
Insert: "Expenses"

4. Page 4, line 23.
Following: "regulated"
Insert: "or not tariffed"

5. Page 4, line 24.
Following: "attributed to"
Strike: "or used to subsidize"

6. Page 5.
Following: line 23
Strike: "FULLY"
Insert: "cost"

7. Page 6.
Following: line 1
Insert: "(3) In determining applications under subsection (2), the commission shall consider the following factors:

(a) the number, size, and distribution of alternative providers of service;

(b) the extent to which services are available from alternative providers in the relevant market;

(c) the ability of alternative providers to make functionally equivalent or substitute services readily available;

(d) the overall impact of the proposed terms and conditions on the continued availability of existing services at just and reasonable rates; and

(e) such other factors as the commission may prescribe through rulemaking which are appropriate to fulfill the purposes of [the act].

(4) Nothing in this section shall authorize the application of subsection (2) to any services for which there are no alternative providers of such services."

Renumber: subsequent subsection

8. Page 6, lines 6 through 8.
Following: "comparable" on line 6
Strike: remainder of line 6 through "needs" on line 8
Insert: "to the extent alternative providers can make functionally equivalent substitutes or substitute services readily available"

And, as amended, be concurred in. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stimatz, Chairman): 3/21/85
HB 573, be concurred in. Report adopted.

JUDICIARY (Mazurek, Chairman): 3/21/85
HB 155, third reading copy, be amended as follows:

1. Page 2, lines 12 and 13.
Following: "or" on line 12
Strike: remainder of line 12 through "creature" on line 13
Insert: "mammal"

2. Page 2, line 17.
Following: "he"
Strike: "knowingly"

3. Page 2, line 24.
Following: "(c)"
Insert: "knowingly"

4. Page 3, line 2.
Following: "in"
Strike: "or is knowingly present at such"
Insert: "any"

5. Page 3, line 3.
Following: "exhibition"
Strike: ", fighting, menacing, or injuring of an animal"
Insert: "in which animals are fighting"

6. Page 3, line 15.
Following: "of"
Strike: "dogs"
Insert: "animals"
Following: "hunting"
Insert: "and training"

And, as amended, be concurred in. Report adopted.

HB 340, third reading copy, be amended as follows:

1. Page 4, line 7.
Following: "company."
Insert: "A landlord is entitled to payment of the storage costs allowed under this subsection before the tenant may remove the property."

2. Page 4, line 19.
Following: "rent"
Insert: "or damages"

And, as amended, be concurred in. Report adopted.

HB 341, third reading copy, be amended as follows:

1. Page 1, lines 23 and 24.

Following: "payment" on line 23
Strike: remainder of line 23 through "RENDERED" on line 24
Insert: "with the intent to fraudulently defeat a possessory lien or otherwise defraud the payee of the check"

And, as amended, be concurred in. Report adopted.

HB 476, be concurred in. Report adopted.
HB 579, third reading copy, be amended as follows:

1. Statement of Intent.
Page 1.
Following: line 17.
Insert: "(1) adoption of a procedure requiring a written statement signed by an authorized person from the community mental health center either before or at the time the confirmation is obtained;"
Renumber: subsequent subsections

And, as amended, be concurred in. Report adopted.

HB 609, be concurred in. Report adopted.
HB 781, be concurred in. Report adopted.
HB 809, be concurred in. Report adopted.

LOCAL GOVERNMENT (Fuller, Chairman): 3/21/85
HB 768, be concurred in. Report adopted.

MOTIONS

Senator Fuller moved that HB 550 be taken from second reading and that it be rereferred to the Committee on State Administration. Motion carried unanimously.

Senator Christiaens moved that the Senate adjourn until 2:30 p.m., March 22, 1985.

Motion carried.

Senate adjourned at 6:05 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

SIXTY-SECOND LEGISLATIVE DAY

Helena, Montana
March 22, 1985

Senate Chambers
State Capitol

Senate convened at 2:35 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Hammond, Van Valkenburg, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the sixty-first legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 3/20/85
Examined by the sponsor (Towe) and found to be correct: SB 46.
Examined by the sponsor (Towe) and found to be correct: SB 43.
3/21/85
Examined by the sponsor (Towe) and found to be correct: SB 44.
Examined by the sponsor (Brown) and found to be correct: SB 50.
Examined by the sponsor (Christiaens) and found to be correct: SB 92.
Examined by the sponsor (Christiaens) and found to be correct: SB 93.
Examined by the sponsor (McCallum) and found to be correct: SB 94.
Examined by the sponsor (Mazurek) and found to be correct: SB 145.
Examined by the sponsor (Yellowtail) and found to be correct: SJR 16.
Correctly enrolled: SB 43, SB 44, SB 46, SB 50, SB 92, SB 93, SB 94, SB 145, SJR 16. 3/22/85

JUDICIARY (Mazurek, Chairman): 3/21/85
HB 310, third reading copy, be amended as follows:

1. Page 5, lines 3 and 4.
Following: "INJURY" on line 3
Strike: remainder of line 3 through "INJURY" on line 4

2. Page 6, line 21.
Following: "[section 8"
Strike: "7"
Insert: "9"

3. Page 7, line 4.
Following: "40-4-106"
Insert: "and uniform sample affidavits and orders of inability to pay filing fees or other costs"

4. Page 7, line 5.
Following: "order"
Insert: "and the inability-to-pay-filing-fees order"

5. Page 8.
Following: line 6
Insert: "NEW SECTION. Section 6. Jurisdiction and venue. (1) District courts, municipal courts, and justices' courts have concurrent jurisdiction to hear and issue orders under 40-4-106(3).

(2) The municipal judge or justice of the peace shall on motion suspend all further proceedings in the action and certify the pleading

and any orders to the clerk of the district court of the county where the action was begun if an action for declaration of invalidity of a marriage, legal separation, or dissolution of marriage, or child custody is pending between the parties. From the time of the certification of such pleadings and any orders to the clerk, the district court has the same jurisdiction over the action as if it had been commenced therein.

(3) An action brought under 40-4-106(3) may be tried in the county in which either party resides or in which the physical abuse was committed.

(4) The right to petition for relief may not be denied because the plaintiff has vacated the residence or household to avoid abuse."

Renumber: subsequent sections

6. Page 8.
Following: line 6
Insert: "NEW SECTION. Section 7. Review or removal — district court. (1) An order issued by a municipal court or justice court pursuant to 40-4-106(3) is immediately reviewable by the judge of the district court at chambers upon the filing of a notice of appeal. The district judge may affirm, dissolve, or modify an order of a municipal court or justice court made pursuant to 40-4-106(3).

(2) Any case in which an order has been issued by a municipal court or justice court pursuant to 40-4-106(3) may be removed to district court upon filing of a notice of removal."

Renumber: subsequent sections

7. Page 8, line 9.
Following: "~~judge~~"
Insert: ", justice of the peace, or municipal court judge"

8. Page 9, line 2.
Following: "through"
Strike: "7"
Insert: "8"

9. Page 9, line 4.
Following: "Section"
Strike: "8"
Insert: "9"

And, as amended, be concurred in. Report adopted.

HB 529, be concurred in. Report adopted. 3/22/85
HB 840, be concurred in. Report adopted.
HJR 37, third reading copy, be amended as follows:

1. Page 3.
Following: line 7
Strike: "Court"
Insert: "Court's Commission on Rules of Criminal Procedure"

2. Page 3, line 12.
Following: "THAT THE"
Strike: "COURT"
Insert: "Commission"

3. Page 3, line 14.
Following: "of the"
Strike: "Supreme Court's"

Insert: "Commission's"

4. Page 3.
Following: line 15
Strike: "can"
Insert: "need to"

5. Page 3, line 21.
Following: "Court"
Insert: "for delivery to the Commission on Rules of Criminal Procedure"

And, as amended, be concurred in. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Lynch, Chairman): 3/19/85
HB 853, third reading copy, be amended as follows:

1. Title, line 4.
Following: "THAT"
Insert: "AT LEAST 50 PERCENT OF THE WORK ON"

2. Title, lines 5 and 6.
Following: "BY" on line 5
Strike: remainder of line 5 through "PERCENT" on line 6

3. Title, line 7.
Following: "PROVIDING"
Strike: "AN IMMEDIATE EFFECTIVE DATE AND"

4. Page 1, line 13.
Following: "state"
Insert: "or federal"

5. Page 1, line 15.
Following: "TRANSPORTATION"
Strike: ","
Insert: "or where residency preference laws are specifically prohibited by federal law"

6. Page 1.
Following: line 16
Strike: "worker hours on a craft-by-craft basis"
Insert: "work"

7. Page 1, line 21.
Following: "TRANSPORTATION"
Strike: ","
Insert: "or where residency preference laws are specifically prohibited by federal law"

8. Page 1, line 23.
Following: "provision"
Insert: ", in language approved by the commissioner of labor and industry,"

9. Page 1, line 24.
Following: "(1)."
Insert: "The bid specification and the contract must provide that at least 50% of the work on the project will be performed by bona fide Montana residents. If there are two or more contracts and due to a lack of qualified personnel a contractor cannot guarantee that at least 50% of his work will be by Montana residents, his contract

must provide that the percent the commissioner of labor and industry believes possible will be performed by Montana residents and one or more of the other contracts must provide for a higher percentage of work by Montana residents so that 50% of the total work on the project will be by Montana residents.

(3) The commissioner of labor and industry shall enforce this section and investigate complaints of its violation and may adopt rules to implement this section."

10. Page 2.
Following: line 12
Strike: section 5 in its entirety

And, as amended, be concurred in. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
HB 853

A statement of intent is required for this bill because section 1 grants rulemaking authority to the commissioner of labor and industry.

The rules should, at a minimum:

(1) provide the most practical method or methods for quantifying the requirement that at least 50% of the work on a project must be performed by Montana residents so that the quantification method or methods can be applied to contracts and projects to ensure that the requirement is complied with;

(2) include a procedure by which the commissioner will determine whether or not 50% of the work by a contractor can be performed by Montana residents, and if it cannot, what percent can be so performed; and

(3) include procedures for investigating complaints and enforcing section 1.

TAXATION (Towe, Chairman): 3/22/85

HB 317, third reading copy, be amended as follows:

1. Title, line 6.
Following: "AMENDING"
Strike: "SECTION"
Insert: "SECTIONS 15-1-101, 15-6-136, 15-6-207, AND"

2. Page 1.
Following: line 8
Insert: "Section 1. Section 15-1-101, MCA, is amended to read:

"15-1-101. Definitions. (1) ~~When~~ Except as otherwise specifically provided, when terms mentioned in this section are used in connection with taxation, they are defined in the following manner:

(a) The term "agricultural" refers to the raising of livestock, ~~swine,~~ poultry, bees, and other species of domestic animals and wildlife in domestication or a captive environment, and the raising of field crops, fruit, and other animal and vegetable matter for food or fiber.

(b) The term "assessed value" means the value of property as defined in 15-8-111.

(c) The term "average wholesale value" means the value to a dealer prior to reconditioning and profit margin shown in national appraisal guides and manuals or the valuation schedules of the department of revenue.

(d) The term "credit" means solvent debts, secured or unsecured, owing to a person.

(e) The term "improvements" includes all buildings, structures, fixtures, fences, and improvements situated upon, erected upon, or affixed to land. When the department of revenue or its agent determines that the permanency of location of a mobile home or housetrailer has been established, the mobile home or housetrailer is presumed to be an improvement to real property. A mobile home or housetrailer may be determined to be permanently located only when it is attached to a foundation which cannot feasibly be relocated and only when the wheels are removed.

(f) The term "leasehold improvements" means improvements to mobile homes and mobile homes located on land owned by another person. This property is assessed under the appropriate classification and the taxes are due and payable in two payments as provided in 15-24-202. Delinquent taxes on such leasehold improvements are a lien only on such leasehold improvements.

(g) The term "livestock" means cattle, sheep, swine, goats, horses, mules, and asses.

~~(g)~~(h) The term "mobile home" means forms of housing known as "trailers", "housetrailers", or "trailer coaches" exceeding 8 feet in width or 45 feet in length, designed to be moved from one place to another by an independent power connected to them, or any "trailer", "housetrailer", or "trailer coach" up to 8 feet in width or 45 feet in length used as a principal residence.

~~(h)~~(i) The term "personal property" includes everything that is the subject of ownership but that is not included within the meaning of the terms "real estate" and "improvements".

~~(i)~~(j) The term "poultry" includes all chickens, turkeys, geese, ducks, and other birds raised in domestication to produce food or feathers.

~~(j)~~(k) The term "property" includes moneys, credits, bonds, stocks, franchises, and all other matters and things, real, personal, and mixed, capable of private ownership. This definition must not be construed to authorize the taxation of the stocks of any company or corporation when the property of such company or corporation represented by the stocks is within the state and has been taxed.

~~(k)~~(l) The term "real estate" includes:

(i) the possession of, claim to, ownership of, or right to the possession of land;

(ii) all mines, minerals, and quarries in and under the land subject to the provisions of 15-23-501 and 15-23-801; all timber belonging to individuals or corporations growing or being on the lands of the United States; and all rights and privileges appertaining thereto.

~~(l)~~(m) The term "taxable value" means the percentage of market or assessed value as provided for in 15-6-131 through 15-6-140.

(2) The phrase "municipal corporation" or "municipality" or "taxing unit" shall be deemed to include a county, city, incorporated town, township, school district, irrigation district, drainage district, or any person, persons, or organized body authorized by law to establish tax levies for the purpose of raising public revenue.

(3) The term "state board" or "board" when used without other qualification shall mean the state tax appeal board."

Section 2. Section 15-6-136, MCA, is amended to read:

"15-6-136. Class six property — description — taxable percentage. (1) Class six property includes:

(a) livestock ~~and~~, poultry, bees, and other species of domestic animals and wildlife raised in domestication or a captive environment, except for cats, dogs, and other household pets not raised for profit, and the unprocessed products of ~~both~~ such animals and wildlife;

(b) all unprocessed agricultural products on the farm or in storage except all perishable fruits and vegetables in farm storage and owned by the producer;

(c) items of personal property intended for lease in the ordinary course of business provided each item of personal property satisfies all of the following:

(i) the full and true value of the personal property is less than $5,000;

(ii) the personal property is owned by a business whose primary business income is from rental or lease of personal property to individuals wherein no one customer of the business accounts for more than 10% of the total rentals or leases during a calendar year; and

(iii) the lease of the personal property is generally on an hourly, daily, or weekly basis.

(2) Class six property is taxed at 4% of its market value."

Section 3. Section 15-6-207, MCA, is amended to read:

"15-6-207. Agricultural exemptions. The following agricultural products are exempt from taxation:

(1) all unprocessed, perishable fruits and vegetables in farm storage and owned by the producer;

(2) all nonperishable unprocessed agricultural products, except livestock, held in possession of the original producer for less than 7 months following harvest; ~~and~~

(3) except as provided in subsection (4), livestock~~, defined as cattle, sheep, horses, or mules,~~ which have not attained the age of 9 months as of the last day of any month if assessed on the average inventory basis or on March 1 if assessed as provided in 15-24-911(1)(a); and

(4) swine which have not attained the age of 3 months as of January 1.""

Renumber: subsequent sections

3. Page 1, lines 10 through 15.
Following: "Definition." on line 10
Strike: remainder of line 10 through line 15
Insert: "As used in this part, "livestock" includes those animals specified in 15-1-101(1)(g)."

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman March 22, 1985

President of the Senate
State Capitol
Helena, Montana 59620

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 34, 36, 37, 117, and 133 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bills concurred in and returned to the Senate: 3/21/85

SB 180, introduced by Van Valkenburg, Rapp-Svrcek

SB 196, introduced by Fuller, et al.

SB 225, introduced by Jacobson

SB 235, introduced by Mazurek, Towe

SB 253, introduced by Lynch

SB 267, introduced by Halligan

SB 290, introduced by Daniels

SB 292, introduced by Neuman, et al.

SB 302, introduced by Galt, et al.

SB 339, introduced by Lynch

SB 358, introduced by Jacobson, et al.

SB 373, introduced by Neuman, et al.

Senate bills concurred in as amended and returned to the Senate for concurrence in House amendments: 3/21/85

SB 41, introduced by Towe

SB 103, introduced by Jacobson, et al.

SB 159, introduced by Fuller, J. Brown

SB 197, introduced by Yellowtail

SB 209, introduced by Mohar, et al.

SB 257, introduced by Daniels

Senate bills not concurred in and returned to the Senate: 3/21/85

SB 53, introduced by Crippen

SB 118, introduced by McCallum

SB 195, introduced by Fuller, et al.

Senate amendments to House bill concurred in: 3/21/85

HB 283, introduced by O'Connell, et al.

House bill passed and transmitted to the Senate for concurrence: 3/21/85

HJR 23, introduced by Hansen, et al.

MOTIONS

Senator Lynch moved that the Senate request the return of HB 185 from the House of Representatives. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Goodover, Haffey, Halligan, Harding, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Williams, Yellowtail, Mr. President.
Total 34

Noes: Blaylock, Brown, Eck, Gage, Galt, Hager, Himsl, Hirsch, Keating, Mohar, Severson, Shaw, Towe, Weeding.
Total 14

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

Senator Lynch moved that HB 185 be placed on second reading. Motion carried unanimously.

Senator Christiaens moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on House amendments to SB 54. Motion carried unanimously.

The President appointed the following members:

Senator Towe, Chairman
Senator Mazurek
Senator Galt

Senator Halligan moved that HB 901 be taken from the Committee on Business and Industry and that it be rereferred to the Committee on Taxation. Motion carried unanimously.

Senator Pinsoneault moved that consideration on HB 277 be passed until the 64th legislative day, 3/25/85. Motion carried unanimously.

Senator Farrell moved that the Senate reconsider its action in concurring in House amendments to SB 140. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Keating, Kolstad, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 41

Noes: Boylan, Eck.
Total 2

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: Galt, Jacobson, Lane, Lynch, Stimatz.
Total 5

Senator Gage moved that HB 460 be taken from second reading and that it be rereferred to the Committee on Business and Industry. Motion carried unanimously.

Senator Gage moved that consideration on HB 707, on second reading this legislative day, be passed until the 64th legislative day, 3/25/85. Motion carried unanimously.

Senator Towe moved that consideration on HB 554, on second reading this legislative day, be passed. Motion carried unanimously.

Senator Blaylock moved that consideration on HB 910, on second reading this legislative day, be passed until the 64th legislative day, 3/25/85. Motion carried unanimously.

FIRST READING OF BILLS

The following House bill was introduced, read first time, and referred to committee:

HJR 23, introduced by Hansen, Waldron, Addy, Harper, J. Moore, Quilici, J. Brown, Vincent, Spaeth, Howe, Fritz, Manuel, Darko, Zabrocki, Abrams, Pavlovich, Driscoll, Montayne, Hart, Cohen, Rapp-Svrcek, Miles, Krueger, D. Brown, Nisbet, Cody, Schye, Poff, Menahan, Raney, Harbin. Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Christiaens moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Jacobson in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 110 - Senator Mazurek moved that House amendments to SB 110 be placed below HB 453. Motion carried unanimously.

SB 212 - That House amendments to SB 212 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 26 - That HB 26 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 44 - That HB 44 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

Senator Lynch in the Chair.

HB 136 - That HB 136 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 167 - That HB 167 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum,

Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

Senator Jacobson in the Chair.

HB 177 - That HB 177 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 200 - That HB 200 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Boylan.
Total 1

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 254 - That HB 254 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.

Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 331 - That HB 331 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 346 - That HB 346 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 359 - That HB 359 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 384 - That HB 384 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 424 - That HB 424 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 426 - That HB 426 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.

Total 0

HB 453 - Senator Towe moved that consideration on HB 453 be passed. Motion carried unanimously.

SB 110 - That House amendments to SB 110 be concurred in. Senator Towe made a substitute motion that House amendments to SB 110 be not concurred in. Substitute motion carried as follows:

Ayes: Anderson, Blaylock, Boylan, Christiaens, Eck, Fuller, Gage, Goodover, Haffey, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Manning, McCallum, Neuman, Pinsoneault, Shaw, Smith, Stephens, Story, Towe, Tveit, Weeding.
Total 27

Noes: Aklestad, Bengtson, Brown, Crippen, Farrell, Galt, Hager, Halligan, Jacobson, Mazurek, Mohar, Regan, Severson, Stimatz, Thayer, Williams, Yellowtail.
Total 17

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: Conover, Daniels, Lynch, Mr. President.
Total 4

HB 469 - That HB 469 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 487 - At the request of Senator Towe, and without objection, HB 487 be placed below HB 544.

HB 505 - That HB 505 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.

Total 2

Absent or not voting: None.
Total 0

HB 544 - That HB 544 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 487 - That HB 487 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

Senator Lynch in the Chair.

HB 557 - That HB 557 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Conover, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Harding, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Neuman, Regan, Shaw, Smith, Stephens, Towe, Williams, Mr. President.
Total 28

Noes: Bengtson, Crippen, Hager, Halligan, Himsl, Mazurek, Mohar, Pinsoneault, Thayer, Weeding, Yellowtail.
Total 11

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: Christiaens, Daniels, Hirsch, Lane, McCallum, Severson, Stimatz, Story, Tveit.

Total 9

HB 558 - That HB 558 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 563 - That HB 563 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Towe.
Total 1

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

Senator Jacobson in the Chair.

HB 570 - That HB 570 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 586 - That HB 586 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 587 - That HB 587 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 599 - That HB 599 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 601 - That HB 601, third reading copy, be amended as follows:

1. Page 3, line 10.
Following: "than"
Strike: "$20,000"
Insert: "$30,000"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

That HB 601, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 602 - That HB 602 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 623 - That HB 623 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 629 - That HB 629 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 631 - Senator Lynch moved that HB 631 be placed below HB 702. Motion carried unanimously.

Senator Lynch in the Chair.

HB 646 - That HB 646, third reading copy, be amended.

Senator Jacobson in the Chair.

Senator Christiaens moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Jacobson moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Christiaens moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on House amendments to SB 110. Motion carried unanimously.

The President appointed the following members:

Senator Towe, Chairman
Senator Mazurek
Senator Crippen

Senator Halligan moved that HB 901 be taken from the Committee on Business and Industry and that it be rereferred to the Committee on Taxation. Motion carried unanimously.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Christiaens moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Lynch in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 646 -. That HB 646, third reading copy, be amended as follows:

1. Page 17, lines 3 and 4.
Following: "5]." on line 3
Strike: remainder of line 3 through "the" on line 4
Insert: "The"

2. Page 17, line 4.
Following: "court"
Strike: "shall"
Insert: "may"

3. Page 17, lines 5 and 6.
Following: "to the" on line 5
Strike: remainder of line 5 through "prevails" on line 6
Insert: "prevailing party in the action"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

That HB 646, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.

Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

Senator Jacobson in the Chair.

HB 655 - Senator Christiaens moved that consideration on HB 655 be passed. Motion carried unanimously.

HB 681 - That HB 681 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 692 - That HB 692 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Regan.
Total 1

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 702 - That HB 702 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.

Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 631 - That HB 631 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 705 - That HB 705 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 713 - That HB 713 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 716 - That HB 716 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 724 - That HB 724 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 727 - At the request of the Chairman, and without objection, HB 727 be placed below HB 782.

HB 734 - That HB 734 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.

Total 0

HB 743 - That HB 743, Senate Public Health, Welfare and Safety Standing Committee report of March 18, 1985, be amended as follows:

1. Amendment No. 1.
Following: "Unless"
Strike: "all parties"
Insert: "the department and the recipient or beneficiary"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

That HB 743, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 769 - That HB 769 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.

Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

HB 782 - That HB 782 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Van Valkenburg.
Total 2

Absent or not voting: None.
Total 0

Senator Christiaens moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Jacobson moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

AGRICULTURE, LIVESTOCK AND IRRIGATION (Boylan, Chairman): 3/22/85

HB 506, third reading copy, be amended as follows:

1. Page 7, line 19.
Following: "member"
Insert: "from the agricultural community"

And, as amended, be concurred in. Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 3/22/85
HJR 38, be concurred in. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Blaylock, Chairman): 3/22/85

HB 454, be concurred in. Report adopted.
HB 471, third reading copy, be amended as follows:

1. Title, line 7.
Following: "MCA"
Insert: "; AND PROVIDING AN EFFECTIVE DATE"

2. Page 2, line 2.
Following: "requirement"
Strike: "only"

3. Page 2, line 3.

Following: "conditions."
Insert: "Exceptions must be made to districts that employ a full complement of staff needed to provide all of the required special education services."

4. Page 4.
Following: line 21
Insert: "NEW SECTION. Section 5. Effective date. This act is effective July 1, 1986."

And, as amended, be concurred in. Report adopted.

HB 549, be concurred in. Report adopted.
HJR 18, be concurred in. Report adopted.

NATURAL RESOURCES (Eck, Chairman): 3/22/85
HJR 10, be concurred in. Report adopted.
HJR 20, be concurred in. Report adopted.

MOTIONS

Senator Daniels moved that consideration on HB 680 be passed until the 64th legislative day, 3/25/85. Motion carried unanimously.

Senator Christiaens moved that the Senate adjourn until 9:00 a.m., March 23, 1985.

Motion carried.

Senate adjourned at 6:04 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

SIXTY-THIRD LEGISLATIVE DAY

Helena, Montana
March 23, 1985

Senate Chambers
State Capitol

Senate convened at 9:00 a.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Hammond, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 3/22/85

Signed by the President at 4:00 p.m., 3/22/85: SB 43, SB 44, SB 46, SB 50, SB 92, SB 93, SB 94, SB 145, SJR 16.

Delivered to the Governor for his approval at 3:30 p.m., 3/22/85: SB 15, SB 31, SB 49, SB 102, SB 121, SB 141, SB 154, SB 158, SB 162, SB 163, SB 164, SB 165, SB 166, SB 169, SB 171, SB 173, SB 175, SB 191, SB 192, SB 193, SB 198, SB 201, SB 216, SB 276, SB 303, SB 311, SB 365.

Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 3/23/85

Recommend that at the close of business March 23, 1985, the following employment be terminated:

Kathy Anderson.....Page
Jeff Lynch.....Page
Genna Rogerson.....Page
Kristi Hiatt.....Page
Frank Brown.....Page
Keith Kelly.....Page
Shere Howald.....Page
Karl N. Kaluza.....Page

Report adopted.

Adverse Committee Reports

JUDICIARY (Mazurek, Chairman): 3/21/85

HB 507, be not concurred in. Adverse committee report adopted as follows:

Ayes: Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Himsl, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 29

Noes: Aklestad, Anderson, Crippen, Farrell, Gage, Galt, Goodover, Hager, Harding, Hirsch, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 20

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 366, be not concurred in. Adverse committee report adopted as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Himsl, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 28

Noes: Aklestad, Anderson, Boylan, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Hirsch, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 22

Paired: Mazurek, Aye; Hammond, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of Senator Bengtson, and without objection, Senator Bengtson's vote on HB 507 be recorded as yes.

At the request of Senator Conover, and without objection, Senator Conover's vote on HB 507 be recorded as yes.

At the request of Senator Kolstad, and without objection, Senator Kolstad's vote on HB 507 be recorded as no.

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman March 22, 1985
President of the Senate
State Capitol
Helena, Montana 59620

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 16, 35, 42, 68, 84, 85, 131, 138, 157, and 190 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bills concurred in and returned to the Senate: 3/22/85

SB 223, introduced by Neuman

SB 261, introduced by Lynch, et al.

SB 263, introduced by Harding

SB 272, introduced by Mohar

SB 274, introduced by Farrell

SB 298, introduced by Yellowtail

SB 342, introduced by Halligan

SB 359, introduced by Yellowtail

SB 378, introduced by Lane, Yellowtail

SB 404, introduced by Yellowtail, et al.

SJR 6, introduced by Blaylock, Vincent

SJR 24, introduced by Stephens, et al.

Senate bills concurred in as amended and returned to the Senate for concurrence in House amendments: 3/22/85

SB 11, introduced by Neuman

SB 66, introduced by Halligan

SB 99, introduced by Lynch

SB 105, introduced by Regan, et al.

SB 106, introduced by Shaw

SB 194, introduced by Manning, et al.

SB 221, introduced by Manning, et al.

SB 226, introduced by Jacobson

SB 296, introduced by Stimatz, et al.

SB 314, introduced by Jacobson, et al.

SB 416, introduced by Thayer, Fuller

Senate bill not concurred in as amended and returned to the Senate: 3/22/85

SB 279, introduced by Bengtson, Patterson

SB 10, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, concurred in as amended and is returned to the Senate for concurrence in House amendments with the following vote: 3/22/85

House of Representatives	Senate
Yeas - 68	Yeas - 24
Nays - 30	Nays - 25

SB 184, passed the House by a two-thirds vote, in accordance with Article II, section 18, of the Constitution of the State of Montana, title and history agreed to, and returned to the Senate for concurrence in House amendments with the following vote: 3/22/85

House of Representatives	Senate
Yeas - 92	Yeas - 44
Nays - 5	Nays - 5

The House, on 3/22/85, requested the return of SB 195 for further consideration.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 90, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover,

Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: Farrell.
Total 1

SB 134, House amendments, concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Aklestad, Himsl, Shaw.
Total 3

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

SB 146, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 40

Noes: Christiaens, Himsl, Hirsch, Mohar, Regan, Shaw, Smith, Tveit.
Total 8

Excused: Hammond.
Total 1

Absent or not voting: Severson.
Total 1

SB 151, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

SB 310, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Hager.
Total 1

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

SB 345, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 2 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.

Total 1

Absent or not voting: None.
Total 0

HB 21 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 43

Noes: Galt, Hirsch, McCallum, Tveit, Williams.
Total 5

Excused: Hammond.
Total 1

Absent or not voting: Story.
Total 1

HB 186 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Aklestad, Hager, Neuman.
Total 3

Excused: Hammond.
Total 1

Absent or not voting: Farrell, Severson.
Total 2

HB 238 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 239 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Haffey, McCallum.
Total 2

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 245 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: Fuller.
Total 1

HB 274 concurred in as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Bengtson, Daniels, Himsl, Mohar, Thayer.
Total 5

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 286 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz,

Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Boylan.
Total 1

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 288 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: Severson.
Total 1

HB 339 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 371 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Daniels, Galt, Neuman.

Total 3

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 373 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 394 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Aklestad, Boylan, Hager, Shaw, Smith.
Total 5

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 406 concurred in as follows:

Ayes: Aklestad, Anderson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 39

Noes: Bengtson, Boylan, Daniels, Farrell, Himsl, Kolstad, McCallum, Mohar, Thayer, Weeding.
Total 10

Excused: Hammond.
Total 1

Absent or not voting: None.

Total 0

HB 414 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Eck, Regan.
Total 2

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 436 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Lybeck, Mazurek, Story.
Total 3

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 470 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: Stephens.
Total 1

HB 478 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Boylan.
Total 1

Excused: Hammond.
Total 1

Absent or not voting: Crippen.
Total 1

HB 483 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 484 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 488 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum,

Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: Towe.
Total 1

HB 561 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 564 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: McCallum.
Total 1

Excused: Hammond.
Total 1

Absent or not voting: Severson.
Total 1

HB 581 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Farrell, Lynch.
Total 2

Excused: Hammond.
Total 1

Absent or not voting: Severson.
Total 1

HB 608 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 618 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 43

Noes: Boylan, McCallum, Neuman.
Total 3

Excused: Hammond.
Total 1

Absent or not voting: Eck, Story, Mr. President.
Total 3

HB 621 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 653 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Blaylock, Boylan, Himsl, Lybeck, Shaw, Thayer.
Total 6

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 685 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 706 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 737 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Himsl.
Total 1

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 746 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 800 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 801 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson,

Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Boylan, Christiaens, Neuman.
Total 3

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 817 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 820 concurred in as follows:

Ayes: Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Himsl, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 35

Noes: Aklestad, Bengtson, Farrell, Gage, Harding, Hirsch, Keating, Kolstad, McCallum, Neuman, Shaw, Smith, Thayer, Tveit.
Total 14

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 831 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.

Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HJR 15 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Shaw, Tveit.
Total 2

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

At the request of Senator Kolstad, and without objection, Senator Kolstad's vote on HB 820 be recorded as no.

At the request of Senator Thayer, and without objection, Senator Thayer's vote on HB 561 be recorded as yes.

At the request of Senator Harding, and without objection, Senator Harding's vote on HB 820 be recorded as no.

At the request of Senator Weeding, and without objection, Senator Weeding's vote on HB 414 be recorded as yes.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Regan moved that the Senate reconsider its action in adopting the adverse committee report on HB 366. Motion withdrawn.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Christiaens moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Keating in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 727 - That HB 727 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens,

Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 784 - That HB 784 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 786 - That HB 786 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Blaylock.
Total 1

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 799 - That HB 799 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 803 - That HB 803 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 816 - That HB 816 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 846 - Senator Goodover moved that consideration on HB 846 be passed. Motion carried unanimously.

HB 889 - That HB 889 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.

Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HJR 21 - That HJR 21 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HJR 26 - That HJR 26 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

SB 41 - That House amendments to SB 41 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.

Total 1

Absent or not voting: None.
Total 0

SB 103 - That House amendments to SB 103 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

SB 159 - That House amendments to SB 159 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

SB 197 - That House amendments to SB 197 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

SB 209 - That House amendments to SB 209 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

SB 257 - That House amendments to SB 257 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 155 - That HB 155 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Neuman.
Total 1

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 291 - That HB 291 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 292 - That HB 292, third reading copy, be amended as follows:

1. Page 3, line 3.
Following: "salary"
Insert: "through June 30, 1986, and then 9 ½% of his monthly salary thereafter"

2. Page 3, line 9.
Following: "~~16.57%~~"
Strike: "24.74%"
Insert: "the following percentages"

3. Page 3, line 10.
Following: "fund"
Insert: ": (a) 24.74% through June 30, 1986; and

(b) 22.74% thereafter"

Amendment failed as follows:

Ayes: Aklestad, Bengtson, Boylan, Crippen, Daniels, Eck, Himsl, Mohar, Neuman, Regan, Severson, Smith, Story.
Total 13

Noes: Anderson, Blaylock, Brown, Christiaens, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Pinsoneault, Shaw, Stephens, Thayer, Towe, Van Valkenburg, Yellowtail, Mr. President.
Total 30

Excused: Hammond.
Total 1

Absent or not voting: Conover, Hager, Stimatz, Tveit, Weeding, Williams.
Total 6

That HB 292 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens,

Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 340 - That HB 340 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 341 - That HB 341 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 401 - That HB 401 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 421 - That HB 421 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 453 - Senator Towe moved that consideration on HB 453 be passed. Motion carried unanimously.

HB 554 - Senator Towe moved that consideration on HB 554 be passed. Motion carried unanimously.

HB 476 - That HB 476 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 573 - That HB 573 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 577 - That HB 577 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 579 - That HB 579 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 580 - That HB 580 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 596 - That HB 596 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Eck.
Total 1

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 606 - That HB 606 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 609 - That HB 609 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.

Total 0

HB 637 - That HB 637 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 655 - That HB 655 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 658 - That HB 658 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 662 - That HB 662 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 698 - That HB 698 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 738 - That HB 738 be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Aklestad, Neuman, Smith.
Total 3

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

HB 768 - That HB 768, third reading copy, be amended as follows:

1. Page 3, lines 19 and 20.
Following: "existing or"
Strike: "newly constructed"
Insert: "proposed"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

That HB 768, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hammond.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Keating moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate recess until 2:15 p.m. Motion carried unanimously.

Senate recessed at 12:06 p.m.

Senate reconvened at 2:31 p.m.

REPORTS OF STANDING COMMITTEES

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman):

3/23/85

HB 214, be concurred in. Report adopted.
HB 228, be concurred in. Report adopted.

HB 259, be concurred in. Report adopted.
HB 627, be concurred in. Report adopted.
HB 665, be concurred in. Report adopted.
HB 730, be concurred in. Report adopted.

Senator Shaw excused at this time.

Adverse Committee Reports

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman):
3/22/85

HB 466, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 39

Noes: Hager, Halligan, Mazurek, McCallum, Yellowtail.
Total 5

Excused: Hammond, Shaw.
Total 2

Absent or not voting: Galt, Hirsch, Lynch, Stimatz.
Total 4

MOTIONS

Senator Van Valkenburg moved that the Senate accede to the request of the House to return SB 195. Motion carried unanimously.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Keating in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 781 - That HB 781 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Shaw.
Total 2

Absent or not voting: None.

Total 0

HB 809 - That HB 809 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Shaw.
Total 2

Absent or not voting: None.
Total 0

HB 860 - That HB 860 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Shaw.
Total 2

Absent or not voting: None.
Total 0

HB 310 - That HB 310 be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Aklestad, Farrell.
Total 2

Excused: Hammond, Shaw.
Total 2

Absent or not voting: None.
Total 0

HB 317 - That HB 317 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Shaw.
Total 2

Absent or not voting: None.
Total 0

HB 454 - At the request of Senator Van Valkenburg, and without objection, HB 454 be moved to the bottom of the board.

HB 471 - That HB 471 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Shaw.
Total 2

Absent or not voting: None.
Total 0

HB 529 - That HB 529, third reading copy, be amended as follows:

1. Page 1, line 25.
Following: "The"
Strike: "insured"
Insert: "uninsured"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Shaw.
Total 2

Absent or not voting: None.
Total 0

That HB 529, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Bengtson.
Total 1

Excused: Hammond, Shaw.
Total 2

Absent or not voting: None.
Total 0

HB 549 - That HB 549 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Shaw.
Total 2

Absent or not voting: None.
Total 0

Senator Aklestad in the Chair.

HB 840 - That HB 840 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Brown, Conover, Farrell, Fuller, Gage, Galt, Haffey, Harding, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Manning, McCallum, Neuman, Smith, Thayer, Tveit, Van Valkenburg, Weeding, Mr. President.
Total 25

Noes: Bengtson, Boylan, Crippen, Goodover, Hager, Himsl, Keating, Mazurek, Mohar, Pinsoneault, Regan, Stephens, Story, Yellowtail.
Total 14

Excused: Hammond, Shaw.
Total 2

Absent or not voting: Christiaens, Daniels, Eck, Halligan, Lynch, Severson, Stimatz, Towe, Williams.
Total 9

Senator Keating in the Chair.

HB 853 - That HB 853, Senate Labor and Employment Relations Standing Committee report of March 19, 1985, be amended.

At the request of Senator Mazurek, and without objection, HB 853 be moved to the bottom of the board.

HJR 10 - That HJR 10 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Shaw.
Total 2

Absent or not voting: None.
Total 0

HJR 18 - That HJR 18 be concurred in. Motion carried as follows:

Ayes: Anderson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Harding, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail.
Total 34

Noes: Aklestad, Bengtson, Himsl, Hirsch, Jacobson, Regan.
Total 6

Excused: Hammond, Shaw.
Total 2

Absent or not voting: Boylan, Daniels, Hager, Lane, Smith, Stimatz, Williams, Mr. President.
Total 8

HJR 20 - That HJR 20 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Shaw.
Total 2

Absent or not voting: None.

Total 0

HJR 37 - That HJR 37 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Shaw.
Total 2

Absent or not voting: None.
Total 0

HJR 38 - That HJR 38 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Neuman.
Total 1

Excused: Hammond, Shaw.
Total 2

Absent or not voting: None.
Total 0

HB 454 - Senator Yellowtail moved that consideration on HB 454 be passed. Motion carried unanimously.

HB 853 - That HB 853, Senate Labor and Employment Relations Standing Committee Report of March 19, 1985, be amended as follows:

1. Strike amendments No. 1 and 2 in their entirety.

2. Line 2 of inserted material.
Following: "50% of the"
Strike: "work"
Insert: "workers"

3. Line 3 of inserted material.
Strike: "performed by"

4. Line 5 of inserted material.
Following: "his"
Strike: "work"
Insert: "workers"

5. Line 11 of inserted material.

Strike: "total work"
Insert: "workers"
Strike: "by"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hammond, Shaw.
Total 2

Absent or not voting: None.
Total 0

That HB 853, as amended, be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Story, Thayer, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 36

Noes: Aklestad, Boylan, Crippen, Galt, Hirsch, Keating, Stephens, Tveit.
Total 8

Excused: Hammond, Shaw.
Total 2

Absent or not voting: Daniels, Smith, Stimatz, Williams.
Total 4

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Keating moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

JUDICIARY (Mazurek, Chairman): 3/23/85
HB 419, be concurred in. Report adopted.
HB 594, be concurred in. Report adopted.
HB 622, be concurred in. Report adopted.
HB 714, be concurred in. Report adopted.

Adverse Committee Reports

JUDICIARY (Mazurek, Chairman): 3/23/85
HB 613, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Thayer, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 43

Noes: Story, Towe.
Total 2

Excused: Hammond, Shaw.
Total 2

Absent or not voting: Daniels, Stimatz, Williams.
Total 3

HB 722, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Halligan, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 38

Noes: Brown, Crippen, Galt, Hager, Himsl, Manning, Neuman.
Total 7

Excused: Hammond, Shaw.
Total 2

Absent or not voting: Daniels, Stimatz, Williams.
Total 3

Senator Van Valkenburg moved that the Senate adjourn until 2:30 p.m., March 25, 1985.

Motion carried.

Senate adjourned at 4:31 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

SIXTY-FOURTH LEGISLATIVE DAY

Helena, Montana
March 25, 1985

Senate Chambers
State Capitol

Senate convened at 2:34 p.m., President Norman presiding. Invocation by the Chaplain, Pastor Monsen. Pledge of Allegiance to the Flag.

Roll call. All members present except Hager, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journals for the sixty-second and sixty-third legislative days, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 3/23/85

Signed by the President at 11:00 a.m., 3/23/85: HB 8, HB 57, HB 72, HB 86, HB 89, HB 215, HB 227, HB 256, HB 257, HB 272, HB 300, HB 302, HB 334, HB 345, HB 351, HB 360, HB 365, HB 379, HB 387, HB 431, HB 463, HB 464, HB 467, HB 468, HB 482, HB 566, HB 588, HB 600, HB 729, HB 732, HB 748, HB 790, HB 852.

Delivered to the Governor for his approval at 11:30 a.m., 3/25/85: SB 43, SB 44, SB 46, SB 50, SB 92, SB 93, SB 94, SB 145.

Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 3/25/85

HB 901, be concurred in. Report adopted.

JUDICIARY (Mazurek, Chairman): 3/23/85

HB 95, third reading copy, be amended as follows:

1. Title, lines 9 and 10.
Following: "PROVIDING" on line 9
Strike: remainder of line 9 through "AND" on line 10

2. Page 1, line 16.
Following: "~~insurer~~"
Insert: "against an insurer"

3. Page 1, line 19.
Following: "claim"
Insert: "if:

(1) the lack of good-faith claim is against a party different from the party against whom the underlying claim is made; and

(2) the parties have not stipulated to consolidation of the trial of the lack of good faith claim and the underlying claim."

4. Page 2, lines 3 through 6.
Strike: section 2 in its entirety
Renumber: subsequent sections

5. Page 2, lines 17 and 18.
Strike: section 5 in its entirety

And, as amended, be concurred in. Report adopted.

HB 187, third reading copy, be amended as follows:

1. Title, line 8.
Following: "~~SCIENCES~~"
Strike: "PREVAILING PARTY"
Insert: "DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES"

2. Title, line 9.
Following: "~~ABATE~~"
Strike: "IN INVESTIGATING AND ABATING"
Insert: "BY IT TO INVESTIGATE AND ABATE"

3. Title, lines 10 and 11.
Following: "ACT" on line 10
Strike: remainder of line 10 through "ACT" on line 11

4. Page 1, line 25.
Following: "~~department~~"
Strike: "PREVAILING PARTY"
Insert: "department"

5. Page 2, line 2.
Following: "violation"
Strike: "OR IN DEFENDING AGAINST AN ALLEGED VIOLATION"

And, as amended, be concurred in. Report adopted.

HB 354, third reading copy, be amended as follows:

1. Page 2, line 1.
Following: "MCA"
Strike: "."
Insert: "; and"

2. Page 2.
Following: line 1
Insert: "WHEREAS, the department has authority to control the safety of persons and property on land or water in connection with the use of aircraft in this state under section 67-2-102, MCA."

And, as amended, be concurred in. Report adopted.

HB 363, third reading copy, be amended as follows:

1. Page 1.
Following: line 9
Insert: "NEW SECTION. Section 1. Purpose. The purpose of 27-1-221 is to deter claims for punitive or exemplary damages that are not clearly based in fact, and to that end, the legislature intends for 27-1-221 to be used in combination with early and ready application and granting of motions for summary judgment pursuant to Rule 56 of the Montana Rules of Civil Procedure where such claims are not based in fact, and the application of the sanctions provided for in Rule 11 of the Montana Rules of Civil Procedure against those parties responsible for making such claims."
Renumber: subsequent sections

2. Page 2, line 2.
Following: "EVIDENCE."
Insert: "Clear and convincing evidence means evidence in which there is no serious or substantial doubt about the correctness of the conclusions drawn from the evidence. It is more than a preponderance of evidence, but less than beyond a reasonable doubt.

(3) Presumed malice exists when a person has knowledge of facts, intentionally avoids learning of facts, or recklessly disregards facts, knowledge of which may be proven by direct or circumstantial evidence, which creates a high degree of risk of harm to the substantial interests of another, and either deliberately proceeds to act in conscious disregard of or indifference to that risk or recklessly proceeds in unreasonable disregard of or indifference to that risk."

Renumber: subsequent subsections

3. Pages 14 and 15.
Strike: lines 14 and 15 in their entirety
Insert: "(6) (a) In cases of actual fraud or actual malice, the jury may award reasonable punitive damages after considering the circumstances of the case.

(b) In all other cases where punitive damages are awarded, punitive damages may be in an amount up to but no greater than $25,000 or 1% of the defendant's net worth, whichever is greater.

(7) If a plaintiff sought exemplary damages at trial, but such damages were not awarded, the court shall submit to the jury a question concerning whether the jury found in the evidence presented any reasonable basis in fact for seeking exemplary damages. If the response to the question is negative, the court may, in its discretion as a penalty against such party, the party's attorney, or both, assess damages in an amount not to exceed what is determined by the court to be reasonable attorney fees and costs of the defendant incurred in defense of such claims.

(8) In cases where punitive damages may be awarded, the jury shall not be instructed, informed, or advised in any manner as to the limitations on the amount of exemplary or punitive damages as set forth in section (6)(b)."

4. Page 3, line 15.
Following: "any"
Strike: "proceeding begun"
Insert: "claim arising"
Following: "after"
Strike: "or pending on"

5. Page 5, lines 16 and 17.
Following: "act" on line 16
Strike: remainder of line 16 through "act" on line 17

6. Page 3.
Following: line 17
Insert: "NEW SECTION. Section 5. Codification instruction. Section 1 is intended to be codified as an integral part of Title 27, chapter 1, part 2, and the provisions of Title 27, chapter 1, part 2, apply to section 1."
Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

HB 423, third reading copy, be amended as follows:

1. Page 2, line 8.
Following: "section."
Insert: "However, the local governing jurisdiction shall incur no liability as a result of an approval under this subsection."

And, as amended, be concurred in. Report adopted.

HB 517, third reading copy, be amended as follows:

1. Title, line 8.
Following: "MCA"
Insert: "; AND PROVIDING AN APPLICABILITY DATE"

2. Page 3.
Following: line 1
Insert: "NEW SECTION. Section 3. Applicability. This act shall apply to all court decrees and court orders after the effective date of this act."

And, as amended, be concurred in. Report adopted.

HB 541, third reading copy, be amended as follows:

1. Page 1, line 18.
Following: "~~losses~~"
Strike: "SO"

And, as amended, be concurred in. Report adopted.

HB 585, third reading copy, be amended as follows:

1. Title, line 6.
Following: "PROCEEDINGS;"
Strike: remainder of line 6 through "IMPOSED;" on line 7

2. Page 2, lines 5 through 9.
Following: "(3)" on line 5
Strike: remainder of line 5 through "imposed." on line 9

And, as amended, be concurred in. Report adopted.

HB 891, third reading copy, be amended as follows: 3/25/85

1. Title, line 8.
Following: "70-30-110,"
Strike: "70-30-202,"

2. Page 2, lines 2 through 14.
Strike: section 2 in its entirety
Renumber: subsequent sections

3. Page 3, line 12.
Following: "~~county~~"
Strike: "judicial district"
Insert: "county"

And, as amended, be concurred in. Report adopted.

LOCAL GOVERNMENT (Fuller, Chairman): 3/25/85
HB 457, be concurred in. Report adopted.
HB 516, be concurred in. Report adopted.
HB 519, be concurred in. Report adopted.
HB 654, be concurred in. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 3/25/85
HB 774, third reading copy, be amended as follows:

1. Page 1, line 25.
Following: "(2)"
Insert: "(a)"

2. Page 2, line 2.
Following: "period of"
Insert: ": (i) 2,080 hours of service following his date of employment; an employee must be credited with 80 hours of service for each biweekly pay period in which he is in a pay status or on an authorized leave of absence without pay, regardless of the number of hours of service in the pay period; or

(ii)"

3. Page 2, line 4.
Following: "status"
Insert: "or on an authorized leave of absence without pay"

4. Page 2, line 5.
Following: "month."
Insert: "An employee of a school at a state institution or the university system must be credited with 1 year of service if he is employed for an entire academic year.

(b) State agencies, other than the university system and a school at a state institution, shall use the method provided in subsection (2)(a)(i) to calculate years of service under this section."

5. Page 3, line 19.
Following: "(2)"
Insert: "(a)"

6. Page 3, line 22.
Following: "period of"
Insert: ": (i) 2,080 hours of service following his date of employment; an employee must be credited with 80 hours of service for each biweekly pay period in which he is in a pay status or on an authorized leave of absence without pay, regardless of the number of hours of service in the pay period; or

(ii)"

7. Page 3, line 23.
Following: "status"
Insert: "or on an authorized leave of absence without pay"

8. Page 3, line 24.
Following: "month."
Insert: "An employee of a school district, a school at a state institution, or the university system must be credited with 1 year of service if he is employed for an entire academic year.

(b) State agencies, other than the university system and a school at a state institution, must use the method provided in subsection (2)(a)(i) to calculate years of service under this section."

And, as amended, be concurred in. Report adopted.

HB 775, third reading copy, be amended as follows:

1. Title, line 9.
Following: "FUNDS"
Insert: "AND REQUIRING PAYMENT OF INTEREST THEREON"
Strike: "SECTION"
Insert: "SECTIONS"
Following: "17-3-211"

Insert: "AND 17-3-212"

2. Page 1, line 19.
Following: "thereunder"
Insert: ", plus interest figured at the previous year's annualized yield on the state's short-term investment pool,"

3. Page 1.
Following: line 23
Insert: "Section 2. Section 17-3-212, MCA, is amended to read:

"17-3-212. Apportionment of forest reserve funds among counties. The state auditor shall apportion said forest reserve funds between the several counties as follows: all funds received from each forest reserve shall be apportioned between the counties in which such forest reserve is situated in proportion to the acreage of such forest reserve in each county, and the state treasurer shall pay the several amounts so apportioned plus interest thereon, as provided in 17-3-211, to the respective counties.""
Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

HB 779, be concurred in. Report adopted.
HB 788, third reading copy, be amended as follows:

1. Page 2, line 10.
Following: "consolidation."
Insert: "State retail liquor stores and liquor retail agencies are exempted from such consolidation."

And, as amended, be concurred in. Report adopted.

HB 796, be concurred in. Report adopted.
HB 871, third reading copy, be amended as follows:

1. Page 1, lines 19 and 20.
Following: "made" on line 19
Strike: remainder of line 19 through "courage," on line 20

And, as amended, be concurred in. Report adopted.

HB 875, be concurred in. Report adopted.
HJR 33, third reading copy, be amended as follows:

1. Page 2, line 25.
Following: "Governor"
Insert: "and the 50th Legislature"

And, as amended, be concurred in. Report adopted.

Adverse Committee Reports

JUDICIARY (Mazurek, Chairman): 3/25/85
HB 575, third reading copy, be amended as follows:

1. Page 1, line 22.
Following: "jail"
Strike: "or state prison"

And, as amended, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey,

Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 43

Noes: Brown, Mohar, Pinsoneault, Yellowtail.
Total 4

Excused: Hager.
Total 1

Absent or not voting: Galt, Stimatz.
Total 2

LOCAL GOVERNMENT (Fuller, Chairman): 3/25/85

HB 890, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Weeding, Williams, Mr. President.
Total 40

Noes: Haffey, Halligan, Lybeck, Lynch, Mazurek, Van Valkenburg, Yellowtail.
Total 7

Excused: Hager.
Total 1

Absent or not voting: Galt, Stimatz.
Total 2

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bill concurred in and returned to the Senate: 3/23/85

SB 230, introduced by Tveit, et al.

Senate bills not concurred in and returned to the Senate: 3/23/85

SB 177, introduced by Kolstad, et al.

SB 244, introduced by McCallum, et al.

Senate bill not concurred in as amended and returned to the Senate: 3/23/85

SB 388, introduced by Jacobson, Harp

SB 313, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, failed and is returned to the Senate with the following vote: 3/23/85

House of Representatives	Senate
Yeas - 59	Yeas - 21
Nays - 35	Nays - 28

MOTIONS

Senator Christiaens moved that the Senate reconsider its action in adopting the adverse committee report on HB 722. Motion failed as follows:

Ayes: Bengtson, Blaylock, Christiaens, Conover, Crippen, Fuller, Gage, Halligan, Hammond, Harding, Keating, Kolstad, Manning, McCallum, Neuman, Regan, Smith, Stephens, Stimatz, Thayer, Tveit, Van Valkenburg, Williams, Mr. President.
Total 24

Noes: Aklestad, Anderson, Boylan, Brown, Daniels, Eck, Farrell, Goodover, Haffey, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Mazurek, Mohar, Pinsoneault, Severson, Shaw, Story, Towe, Weeding, Yellowtail.
Total 24

Excused: Hager.
Total 1

Absent or not voting: Galt.
Total 1

Senator Stephens moved that the Senate reconsider its action in adopting the adverse committee report on HB 366. Motion failed as follows:

Ayes: Aklestad, Anderson, Boylan, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Hirsch, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Williams.
Total 24

Noes: Bengtson, Blaylock, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Himsl, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 26

Paired: Hager, Aye; Towe, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Story moved that the rules be temporarily suspended in order to present testimony, which includes diagrams, in the well of the Senate regarding HB 910. Motion carried unanimously.

Senator Mazurek moved that the Senate reconsider its action in adopting the adverse committee report on HB 466. Motion failed as follows:

Ayes: Bengtson, Brown, Fuller, Haffey, Halligan, Hammond, Hirsch, Keating, Kolstad, Lane, Mazurek, Pinsoneault, Regan, Shaw, Smith, Van Valkenburg, Yellowtail.
Total 17

Noes: Aklestad, Anderson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Galt, Goodover, Harding, Himsl, Jacobson, Lybeck, Lynch, Manning, Mohar, Neuman, Severson, Stephens, Story, Thayer, Towe, Tveit, Weeding, Williams, Mr. President.
Total 30

Excused: Hager.
Total 1

Absent or not voting: McCallum, Stimatz.
Total 2

Senator Gage moved that HB 853 be taken from engrossing and that it be placed on second reading this legislative day. Motion carried unanimously.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 212, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 26 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 44 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Daniels.
Total 1

Excused: Hager.

Total 1

Absent or not voting: None.
Total 0

HB 136 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: Pinsoneault.
Total 1

HB 167 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 177 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 200 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Boylan.
Total 1

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 254 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Lane, Lybeck, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 37

Noes: Boylan, Christiaens, Daniels, Keating, Kolstad, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Yellowtail.
Total 12

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 331 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: Blaylock.
Total 1

HB 346 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating,

Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Boylan.
Total 1

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 359 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 384 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Boylan, Farrell, Haffey.
Total 3

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 424 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 48

Noes: Story.
Total 1

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 426 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: McCallum.
Total 1

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 469 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 487 concurred in as follows:

Ayes: Aklestad, Anderson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Bengtson, Blaylock, McCallum, Shaw, Smith.
Total 5

Excused: Hager.

Total 1

Absent or not voting: None.
Total 0

HB 505 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 544 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Daniels, Lybeck.
Total 2

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 557 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Williams, Mr. President.
Total 43

Noes: Boylan, Himsl, McCallum, Thayer, Weeding, Yellowtail.
Total 6

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 558 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 563 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 45

Noes: Lane, Shaw, Towe, Weeding.
Total 4

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 570 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 586 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens,

Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 587 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 599 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: Blaylock.
Total 1

HB 601 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 602 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 623 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 629 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.

Total 1

Absent or not voting: None.
Total 0

HB 631 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 48

Noes: Weeding.
Total 1

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 646 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Boylan, Daniels, Neuman.
Total 3

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 681 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 42

Noes: Hammond, Mazurek, McCallum, Mohar, Neuman, Williams.
Total 6

Excused: Hager.
Total 1

Absent or not voting: Shaw.
Total 1

HB 692 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 42

Noes: Boylan, Eck, Hirsch, Mohar, Neuman, Pinsoneault, Regan.
Total 7

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 702 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 705 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 713 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens,

Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 716 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 724 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 734 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: McCallum.
Total 1

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 743 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

HB 769 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: Crippen, Pinsoneault.
Total 2

HB 782 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Boylan.
Total 1

Excused: Hager.

Total 1

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Pinsoneault in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 91 - At the request of Senator Mazurek, and without objection, consideration on House amendments to SB 91 be passed.

SB 140 - That House amendments to SB 140 be concurred in. Senator Farrell made a substitute motion that House amendments to SB 140 be not concurred in. Substitute motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Daniels, Farrell, Gage, Goodover, Haffey, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Mazurek, McCallum, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams, Yellowtail, Mr. President.
Total 36

Noes: Christiaens, Eck, Halligan, Lybeck, Manning, Mohar, Neuman, Towe, Van Valkenburg, Weeding.
Total 10

Excused: Hager.
Total 1

Absent or not voting: Fuller, Galt, Stimatz.
Total 3

SB 155 - That House amendments to SB 155 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Gage, Goodover, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 39

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: Boylan, Farrell, Fuller, Galt, Haffey, Lynch, Pinsoneault, Stimatz, Thayer, Mr. President.
Total 10

Senator Lynch in the Chair.

HB 277 - That HB 277 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Daniels, Lynch, Mohar.
Total 3

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

Senator Pinsoneault in the Chair.

HB 453 - That HB 453 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Keating.
Total 1

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

Senator Hager present at this time.

HB 454 - At the request of Senator Eck, and without objection, consideration on HB 454 be passed.

HB 506 - That HB 506 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.

Total 0

HB 554 - That HB 554, Senate Labor and Employment Relations Standing Committee report of March 19, 1985, be amended as follows:

1. Strike: amendment in its entirety

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 554, third reading copy, be further amended as follows:

1. Page 2, line 11.
Following: "(e)"
Insert: "an applicant has submitted a statement indicating"
Following: "projects"
Insert: "will"

2. Page 2, line 16.
Following: "PROJECTS"
Insert: ", if their qualifications are substantially equal to those of nonresidents. "Substantially equal qualifications" means the qualifications of two or more persons among whom the employer cannot make a reasonable determination that the qualifications held by one person are significantly better suited for the position than the qualifications held by the other persons"

3. Page 6, line 7.
Following: "PROJECTS"
Strike: "."
Insert: ", if their qualifications are substantially equal to those of nonresidents. Substantially equal qualifications means the qualifications of two or more persons among whom the employer cannot make a reasonable determination that the qualifications held by one person are significantly better suited for the position than the qualifications held by the other persons"

4. Attach the following Statement of Intent:

"Statement of Intent
HB 554

It is the intent of the legislature that nothing contained in HB 554 shall require the economic development board of the department of commerce to enforce the statements submitted by an applicant to comply with section

17-5-1526(e), MCA, provided a statement has been submitted by the applicant prior to the approval of the loan."

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 554, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Galt, Goodover, Keating, McCallum, Shaw.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 635 - That HB 635 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Lybeck.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the

Chair. Chairman Pinsoneault moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 3/25/85

Recommend that at the beginning of business March 25, 1985, the following be employed:

Connie Gage ..... Page
James Hodges ..... Page
Sheila Kelch ..... Page
Beth Ortner ..... Page
Mauricio Cysne ..... Page
Kris Smelser ..... Page
Camala Lane ..... Page
Marci Pelton ..... Page
Robin Lee ..... Page

Report adopted.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Boylan, Chairman): 3/25/85

HJR 28, third reading copy, be amended as follows:

1. Page 3.
Following: line 2
Insert: "(5) a unified national program to increase the exporting of agricultural products; and"
Renumber: subsequent subsection

And, as amended, be concurred in. Report adopted.

HJR 40, be concurred in. Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 3/25/85

HB 460, third reading copy, be amended as follows:

1. Title, line 10.
Following: "~~31-1-221~~,"
Insert: "31-1-221,"

2. Title, line 11.
Following: "~~32-2-102,~~"
Insert: "32-1-215, 32-2-102,"
Following: "~~32-5-201~~,"
Insert: "32-3-201, 32-5-201,"

3. Page 2.
Following: line 24
Insert: "Section 2. Section 32-1-215, MCA, is amended to read:

"32-1-215. Special examinations and fees. Special examinations may be made of a bank, trust company, investment company, building and loan association, or credit union when in the judgment of the department it is considered necessary, and the special examination shall be charged for at the rate of $100 a day for each person engaged in the examination. All special examination fees or charges shall be paid at the conclusion of the examination, and the moneys collected by the department shall be paid to the state treasurer for

the credit of ~~the general fund~~ the state special revenue fund for the use of the department in its examination function.""

4. Page 3.
Following: line 6
Insert: "Section 3. Section 32-2-102, MCA, is amended to read:

"32-2-102. Fees paid into state treasury. All fees provided for in this chapter and paid to the department or secretary of state shall be by them turned in to the state treasury for the credit of ~~the general fund of the state of Montana~~ the state special revenue fund for the use of the department in its examination function.""
Renumber: subsequent section

5. Page 4.
Following: line 25
Insert: "Section 5. Section 32-3-201, MCA, is amended to read:

"32-3-201. Director of the department of commerce. (1) The director shall administer the laws of this state relating to credit unions. He may appoint or employ such special assistants, deputies, examiners, or other employees as are necessary for the purpose of administering or enforcing this chapter.

(2) The director may prescribe rules for the administration of this chapter and may establish chartering, supervisory, and examination fees. Fees so collected must be deposited in the state special revenue fund for the use of the department in its supervision function.

(3) The director shall, from time to time, issue rules prescribing the minimum amount of surety bond coverage and casualty, liability, and fire insurance required of credit unions in relation to their assets or to the money and other personal property involved or their exposure to risk.""

6. Page 6.
Following: line 21
Insert: "Section 6. Section 32-5-201, MCA, is amended to read:

"32-5-201. License application and fees — supplementary license. (1) (a) A place of business operated under this chapter shall properly display on the premises a nontransferable and nonassignable license. The same person may obtain additional licenses upon compliance with this chapter as to each license.

(b) Application for a license shall be on a form prescribed and furnished by the department.

(c) A licensee may move his place of business from one place to another within a county without obtaining a new license, provided he obtains written permission from the department.

(d) With each application the applicant shall submit $50 as an investigation fee and $125 as a license fee. The license fee shall be returned to the applicant if the application is denied. The license year is the calendar year, and the license fee for any period less than 6 months is $62.50. A license remains in force until surrendered, suspended, or revoked.

(2) No licensee under the provisions of this chapter shall lend money in a total sum greater than $1,000 to any borrower or to any borrower and spouse except under the following circumstances:

(a) When any person holding a license provided for in subsection (1) desires to make loans for any amount in excess of $1,000, the holder of such license may apply to the department for a supplementary license and pay therefor an additional license fee of $75 per calendar year or one-half of said sum for any period less than 6 months.

(b) The department shall grant, on application, a supplementary license to a holder of a license provided for in subsection (1).

(c) Section 32-5-204 shall be applicable as to time of payment of supplementary license fee and penalty for failure to pay the same.

(d) Provisions of 32-5-301 relating to refunds, fees, and charges and the other provisions of this chapter not inconsistent with this section shall be applicable to loans made under authority of a supplementary license.

(3) All moneys collected under the authority of this chapter shall be paid ~~into the state treasury~~ by the department into the state special revenue fund for the use of the department in its supervision function.

(4) The amount of $1,000 in subsection (2) is subject to change pursuant to the provisions of 32-5-104.""
Renumber: subsequent sections

7. Page 9.
Following: line 5
Insert: "Section 8. Section 31-1-221, MCA, is amended to read:

"31-1-221. Licensing of sales finance companies required. (1) No person shall engage in the business of a sales finance company in this state without a license therefor as provided in this part, except that no bank, trust company, or savings and loan association authorized to do business in this state shall be required to obtain a license under this part but shall comply with all of the other provisions of this part.

(2) The application for such license shall be in writing, under oath, and in the form prescribed by the department. The application shall contain:

(a) the name of the applicant;

(b) date of incorporation, if incorporated;

(c) the address where the business is or is to be conducted and similar information as to any branch office of the applicant;

(d) the name and resident address of the owner or partners or, if a corporation or association, of the directors, trustees, and principal officers; and

(e) such other pertinent information as the department may require.

(3) The license fee for each calendar year or part thereof shall be the sum of $100 for each place of business of the licensee in this state.

(4) Each license shall specify the location of the office or branch and must be conspicuously displayed there. In case such location be

changed, the department shall endorse the change of location of the license without charge.

(5) Upon the filing of such application and the payment of said fee, the department shall issue a license to the applicant to engage in the business of a sales finance company under and in accordance with the provisions of this part for a period which shall expire December 31 next following the date of its issuance. Such license shall not be transferable or assignable. No licensee shall transact any business provided for by this part under any other name.

(6) Fees collected under this chapter shall be deposited in the state special revenue fund for the use of the department in its supervision function.""

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

NATURAL RESOURCES (Eck, Chairman): 3/25/85

HB 396, be concurred in. Report adopted.
HB 638, be concurred in. Report adopted.
HJR 25, be concurred in. Report adopted.
HJR 35, be concurred in. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman): 3/25/85

HB 560, be concurred in. Report adopted.
HB 676, third reading copy, be amended as follows:

1. Page 9, line 9.
Following: "affect"
Strike: "rights and duties that matured,"

2. Page 9, line 10.
Following: "incurred"
Strike: ","

And, as amended, be concurred in. Report adopted.

HB 896, third reading copy, be amended as follows:

1. Page 2, line 18.
Following: "people"
Insert: "or any animal"

And, as amended, be concurred in. Report adopted.

Adverse Committee Reports

NATURAL RESOURCES (Eck, Chairman): 3/25/85

HJR 27, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Stephens, Story, Thayer, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 41

Noes: Eck, Neuman, Williams.
Total 3

Excused: None.
Total 0

Absent or not voting: Blaylock, Fuller, Hager, Smith, Stimatz, Towe.
Total 6

MOTIONS

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on House amendments to SB 13. Motion carried unanimously.

The President appointed the following members:

Senator Boylan
Senator Fuller
Senator Story

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on House amendments to SB 109. Motion carried unanimously.

The President appointed the following members:

Senator Fuller
Senator Mazurek
Senator Brown

Senator Van Valkenburg moved that the Senate adjourn until 2:30 p.m., March 26, 1985.

Motion carried.

Senate adjourned at 6:22 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

SIXTY-FIFTH LEGISLATIVE DAY

Helena, Montana
March 26, 1985

Senate Chambers
State Capitol

Senate convened at 2:34 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the sixty-fourth legislative day, find the same to be correct.

Manning, Chairman

Committee on Highways and Transportation excused at this time.

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 3/23/85
Examined by the sponsor (Mazurek) and found to be correct: SB 144.
Examined by the sponsor (Daniels) and found to be correct: SB 290.
Examined by the sponsor (Galt) and found to be correct: SB 302.
Examined by the sponsor (Christiaens) and found to be correct: SB 79.
3/25/85
Examined by the sponsor (Mazurek) and found to be correct: SB 90.
Examined by the sponsor (Brown) and found to be correct: SB 151.
Examined by the sponsor (Van Valkenburg) and found to be correct: SB 180.
Examined by the sponsor (Jacobson) and found to be correct: SB 225.
Examined by the sponsor (Mazurek) and found to be correct: SB 235.
Examined by the sponsor (Lynch) and found to be correct: SB 253.
Examined by the sponsor (Halligan) and found to be correct: SB 267.
Examined by the sponsor (Neuman) and found to be correct: SB 292.
Examined by the sponsor (Yellowtail) and found to be correct: SB 298.
Examined by the sponsor (Lynch) and found to be correct: SB 339.
Examined by the sponsor (Jacobson) and found to be correct: SB 358.
Examined by the sponsor (Yellowtail) and found to be correct: SB 359.
Examined by the sponsor (Neuman) and found to be correct: SB 373.
Examined by the sponsor (Lane) and found to be correct: SB 378.
Correctly enrolled: SB 79, SB 90, SB 144, SB 151, SB 180, SB 225, SB 235, SB 253, SB 267, SB 290, SB 292, SB 298, SB 302, SB 339, SB 358, SB 359, SB 373, SB 378. 3/26/85
Signed by the President at 11:00 a.m., 3/26/85: SB 79, SB 90, SB 144, SB 151, SB 180, SB 225, SB 235, SB 253, SB 267, SB 290, SB 292, SB 298, SB 302, SB 339, SB 358, SB 359, SB 373, SB 378.

Report adopted.

EDUCATION AND CULTURAL RESOURCES (Blaylock, Chairman):
3/26/85

SJR 32, introduced bill, be amended as follows:

1. Page 1, line 12.
Following: "WHEREAS,"
Strike: "the only"
Insert: "most"

2. Page 1, line 14.
Following: "Washington"

Insert: ", North Dakota,"

3. Page 2, line 13.
Following: "Society,"
Insert: "the Board of Regents, the Board of Public Education,"

And, as amended, do pass. Report adopted.

HB 480, be concurred in. Report adopted.
HB 551, third reading copy, be amended as follows:

1. Page 4, line 17.
Following: "$500,000"
Insert: ", unless 50,000 acres or more of such proposed new district are nontaxable Indian land"

And, as amended, be concurred in. Report adopted.

HJR 22, be concurred in. Report adopted.

FINANCE AND CLAIMS (Regan, Chairman): 3/26/85
SJR 34, do pass. Report adopted.
HB 342, be concurred in. Report adopted.
HB 565, be concurred in. Report adopted.
HB 634, be concurred in. Report adopted.
HB 759, be concurred in. Report adopted.

JUDICIARY (Mazurek, Chairman): 3/26/85
HB 717, third reading copy, be amended as follows:

1. Title, lines 5 and 6.
Following: "STATUTES" on line 5
Strike: remainder of line 5 through "PREFERENCE" on line 6

2. Title.
Following: line 10
Insert: "AUTHORIZING THE COURT TO REQUIRE CONSULTATION WITH PROFESSIONALS IN FORMULATING OR IMPLEMENTING A CUSTODY PLAN OR ORDER;"
Following: "40-4-204"
Strike: "AND 40-4-222 THROUGH"
Insert: ", 40-4-223, AND"

3. Page 2, line 14 through line 9, page 3.
Strike: section 2 in its entirety
Renumber: subsequent sections

4. Page 3, line 13.
Following: "court"
Strike: "may"
Insert: "shall"

5. Page 3, line 14.
Following: "custody"
Strike: "without order of preference"

6. Page 3, line 21.
Following: "whether"
Strike: "the"
Insert: "a"

7. Page 5, line 5.
Following: "may"
Strike: "with the consent of both parties"

And, as amended, be concurred in. Report adopted.

HB 760, be concurred in. Report adopted.

NATURAL RESOURCES (Eck, Chairman): 3/26/85
HB 859, third reading copy, be amended as follows:

1. Page 5, line 6.
Following: "department"
Strike: "shall"
Insert: "may in its discretion"

And, as amended, be concurred in. Report adopted.

HB 912, third reading copy, be amended as follows:

1. Page 8, line 20.
Following: "period."
Insert: "A mining operation that would qualify as a large-scale mineral development under this subsection is not a large-scale mineral development if the mine owner and operator are small miners as defined in 82-4-303."

And, as amended, be concurred in. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 3/26/85
SJR 33, do pass. Report adopted.
HB 893, be concurred in. Report adopted.

Adverse Committee Reports

FINANCE AND CLAIMS (Regan, Chairman): 3/26/85
HB 842, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Fuller, Gage, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Story, Thayer, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 39

Noes: Lynch.
Total 1

Excused: Bengtson, Daniels, Farrell, Hager, Lybeck, Shaw, Stimatz, Tveit, Williams.
Total 9

Absent or not voting: Galt.
Total 1

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman March 25, 1985
President of the Senate
State Capitol
Helena, Montana 59620

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 15, 49, 80, 104, 132, 163, 171, 173, 192, 216, 276, 303, and 311 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

March 26, 1985

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 31, 94, 102, 121, 141, 145, 154, 158, 162, 164, 166, 175, 191, 193, 198, and 365 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bills concurred in and returned to the Senate: 3/25/85

SB 96, introduced by Gage

SB 205, introduced by Christiaens, et al.

SB 206, introduced by Haffey

SB 224, introduced by Van Valkenburg, et al.

SB 242, introduced by E. Smith, et al.

SB 246, introduced by Pinsoneault, et al.

SB 251, introduced by Towe, et al.

SB 282, introduced by Farrell

SB 306, introduced by Haffey, et al.

SB 307, introduced by Fuller

SB 327, introduced by B. Brown, et al.

SB 333, introduced by Christiaens, et al.

SB 357, introduced by B. Williams, et al.

SB 362, introduced by Haffey, et al.

SB 363, introduced by E. Smith, et al.

SB 387, introduced by Lybeck, et al.

SJR 14, introduced by B. Williams, et al.

Senate bills concurred in as amended and returned to the Senate for concurrence in House amendments: 3/25/85

SB 89, introduced by Mazurek

SB 135, introduced by Mohar, et al.

SB 214, introduced by Mazurek, et al.

SB 233, introduced by Regan, et al.

SB 236, introduced by Conover, et al.

SB 266, introduced by Halligan

SB 273, introduced by Thayer

SB 301, introduced by Conover, et al.

SB 329, introduced by Regan, et al.

SB 331, introduced by Christiaens, et al.

SJR 22, introduced by Towe, Yellowtail

Senate bill not concurred in and returned to the Senate: 3/25/85

SB 176, introduced by Kolstad, et al.

House bill passed and transmitted to the Senate for concurrence: 3/25/85

HB 739, introduced by Iverson, et al.

The House, on 3/25/85, acceded to the request of the Senate for the return of HB 358 and HB 395 and is returning said bills to the Senate for further consideration.

MOTIONS

Senator Van Valkenburg moved that the President be empowered to appoint a free conference committee to meet with a committee from the House of Representatives to confer on SB 140. Motion carried unanimously.

The President appointed the following members:

Senator Christiaens, Chairman
Senator Haffey
Senator Farrell

Senator Van Valkenburg moved that the Senate allow the reading of bills by the short title on third reading. Motion carried unanimously.

Senator Daniels moved that consideration on HB 363, on second reading on the 66th legislative day, be passed until the 67th legislative day, 3/28/85. Motion carried unanimously.

FIRST READING OF BILLS

The following House bill was introduced, read first time, and referred to committee:

HB 739, introduced by Iverson, Holliday, Galt. Referred to Committee on State Administration.

Committee on Highways and Transportation present at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 41, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch,

Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 103, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 159, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Shaw.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 197, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 47

Noes: Boylan, Hammond, Kolstad.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 209, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Boylan, Himsl, Pinsoneault, Shaw.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 257, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 155 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Boylan, Daniels, Neuman.
Total 3

Excused: None.

Total 0

Absent or not voting: None.
Total 0

HB 291 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Aklestad, Regan.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 292 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Mohar.
Total 1

Excused: None.
Total 0

Absent or not voting: Galt.
Total 1

HB 310 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Aklestad, Keating.
Total 2

Excused: None.
Total 0

Absent or not voting: Story.
Total 1

HB 317 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Farrell.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 340 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 341 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Boylan, Daniels, Mazurek, Shaw.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 401 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 421 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 471 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Halligan, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Stephens, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 39

Noes: Aklestad, Farrell, Galt, Hager, Hammond, Harding, Keating, Pinsoneault, Smith, Thayer, Tveit.
Total 11

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 476 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith,

Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 529 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 549 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 573 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 577 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 579 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 580 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Hirsch.
Total 1

Excused: None.

Total 0

Absent or not voting: None.
Total 0

HB 596 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Hager.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 606 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Boylan.
Total 1

Excused: None.
Total 0

Absent or not voting: Severson.
Total 1

HB 609 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Farrell, Goodover, Hammond, Kolstad, Story.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 637 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 655 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Shaw.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 658 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Kolstad.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 662 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek,

McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Shaw.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 698 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 727 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 738 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Kolstad, Neuman.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 768 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 781 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 784 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.

Total 0

Absent or not voting: Shaw.
Total 1

HB 786 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 799 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Boylan, Mohar.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 803 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Mazurek, Pinsoneault.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 809 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Kolstad.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 816 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 840 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 40

Noes: Crippen, Farrell, Fuller, Goodover, Himsl, Keating, Mazurek, Mohar, Shaw, Story.
Total 10

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 860 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 889 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 10 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 18 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer,

Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Aklestad, Hirsch, Smith.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 20 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 21 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Boylan, Kolstad.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 26 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Aklestad, Crippen, Galt, Hammond, Himsl, Neuman, Stephens.

Total 7

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 37 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Daniels, Himsl, Neuman, Van Valkenburg.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 38 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Blaylock, Farrell, Galt, Goodover, Hirsch, Keating, Shaw.
Total 7

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Goodover in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 680 - That HB 680, third reading copy, be amended as follows:

1. Title, lines 18 and 19.
Following: "COMMITTEE;" on line 18
Strike: "REPEALING THE BAN ON THE USE OF WATER FOR COAL SLURRY;"

2. Title.
Following: line 23
Strike: "REPEALING SECTION 85-2-104, MCA;"

3. Page 6, line 1.
Following: "purpose"
Insert: ", other than for the mixture for coal slurry pursuant to 85-2-104"

4. Page 56, lines 24 and 25.
Strike: section 23 in its entirety
Renumber: subsequent sections

Amendment failed as follows:

Ayes: Brown, Christiaens, Conover, Daniels, Haffey, Halligan, Hammond, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Stephens, Story, Van Valkenburg, Weeding, Williams, Mr. President.
Total 20

Noes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Hager, Harding, Himsl, Keating, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stimatz, Thayer, Towe, Tveit, Yellowtail.
Total 29

Excused: None.
Total 0

Absent or not voting: Smith.
Total 1

That HB 680, third reading copy, be further amended as follows:

1. Page 6, line 1.
Following: "department"
Insert: ", with the approval of the board,"

2. Page 22, line 3.
Strike: "a public hearing"
Insert: "one or more public hearings"

3. Page 22, line 18.
Following: "after"
Strike: "a public hearing"
Insert: "one or more public hearings"

4. Page 24, line 2.
Following: "hold"
Strike: "a hearing"
Insert: "one or more hearings"

5. Page 24, lines 4 and 5.
Following: "hold" on line 4
Strike: "a hearing"
Insert: "one or more hearings"

6. Page 40, line 3.
Following: "Montana."
Insert: "Water leases issued under this program must be approved by the board."

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 680, third reading copy, be further amended as follows:

1. Page 53, lines 7 and 8.
Following: "to" on line 7
Strike: remainder of line 7 through "to" on line 8

2. Page 53, line 23.
Following: "the"
Strike: remainder of line 23
Insert: "board of natural resources and conservation"

3. Page 53, line 24.
Following: "of the"
Strike: "committee"
Insert: "board"

4. Page 54, lines 15 and 16.
Following: "house" on line 15
Strike: remainder of line 15 through "19]," on line 16

5. Page 54, line 18 through page 56, line 7.
Strike: section 19 in its entirety
Renumber: subsequent sections

6. Page 57, line 2.
Following: "12"
Strike: "$_2$"
Insert: "and"
Following: "15"
Strike: "$_2$ AND 19"

7. Page 57, line 5.
Following: "12"
Strike: "$_2$"
Insert: "and"
Following: "15"
Strike: "$_2$ AND 19"

Amendment failed as follows:

Ayes: Aklestad, Bengtson, Brown, Gage, Hirsch, Kolstad, Neuman.
Total 7

Noes: Anderson, Blaylock, Boylan, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Hammond,

Harding, Himsl, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams.
Total 39

Excused: None.
Total 0

Absent or not voting: Daniels, Smith, Yellowtail, Mr. President.
Total 4

That HB 680, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Boylan, Brown, Daniels, Lane, Severson, Story.
Total 6

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 707 - That HB 707 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 846 - That HB 846 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.

Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 910 - That HB 910, third reading copy and Senate Legislative Administration Standing Committee Report of March 15, 1985, be amended as follows:

1. Page 2, lines 1 and 2.
Strike: lines 1 and 2 in their entirety
Insert: "The third and fourth floors of the capitol shall be assigned to the legislature, with the house of representatives controlling the space west of the rotunda and the senate controlling the space east of the rotunda."

AMEND SENATE LEGISLATIVE ADMINISTRATION STANDING COMMITTEE REPORT OF MARCH 15, 1985, ON HOUSE BILL NO. 910 AS FOLLOWS:

1. Strike Amendment No. 1 in its entirety

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 910, as amended, be concurred in. Motion failed as follows:

Ayes: Bengtson, Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Himsl, Jacobson, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 24

Noes: Aklestad, Anderson, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Hirsch, Keating, Kolstad, Lane, Lynch, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams.
Total 25

Excused: None.
Total 0

Absent or not voting: McCallum.
Total 1

Senator Story moved that HB 910 be indefinitely postponed. Motion failed as follows:

Ayes: Aklestad, Anderson, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Hirsch, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 23

Noes: Bengtson, Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Himsl, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 27

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Goodover moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

HIGHWAYS AND TRANSPORTATION (Stimatz, Chairman): 3/26/85
HB 452, be concurred in. Report adopted.
HB 530, be concurred in. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Lynch, Chairman): 3/26/85
HB 284, be concurred in. Report adopted.

LOCAL GOVERNMENT (Fuller, Chairman): 3/26/85
HB 496, be concurred in. Report adopted.
HB 894, be concurred in. Report adopted.
HB 900, third reading copy, be amended as follows:

1. Page 3, line 23.
Following: "control"
Insert: "or has completed a basic peace officer's course in another state"

2. Page 3, lines 24 and 25.
Following: "was" on line 24
Insert: "36 months or"
Following: "less"
Strike: remainder of line 24 through "months" on line 25

3. Page 4, lines 2 through 7.
Following: "(5)(a)" on line 2
Insert: "."
Strike: remainder of line 2 through line 7

4. Page 4, lines 8 and 9.
Following: "officer" on line 8
Strike: remainder of line 8 through "officer" on line 9

5. Page 4, line 9.
Following: "who has"

Insert: "been issued a basic certificate by the board of crime control or has"

6. Page 4, line 11.
Following: "less than"
Insert: "60 months but more than"

And, as amended, be concurred in. Report adopted.

Senator Van Valkenburg moved that the Senate adjourn until 2:30 p.m., March 27, 1985.

Motion carried.

Senate adjourned at 6:51 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

SIXTY-SIXTH LEGISLATIVE DAY

Helena, Montana
March 27, 1985

Senate Chambers
State Capitol

Senate convened at 2:30 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the sixty-fifth legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman):
Examined by the sponsor (Van Valkenburg) and found to be correct: SJR 20. 3/20/85
Examined by the sponsor (Fuller) and found to be correct: SB 196. 3/25/85
Examined by the sponsor (Stephens) and found to be correct: SJR 24.
Examined by the sponsor (Mohar) and found to be correct: SB 134. 3/26/85
Examined by the sponsor (Fuller) and found to be correct: SB 146.
Examined by the sponsor (Neuman) and found to be correct: SB 223.
Examined by the sponsor (Lynch) and found to be correct: SB 261.
Examined by the sponsor (Harding) and found to be correct: SB 263.
Examined by the sponsor (Mohar) and found to be correct: SB 272.
Examined by the sponsor (Farrell) and found to be correct: SB 274.
Examined by the sponsor (Jacobson) and found to be correct: SB 310.
Examined by the sponsor (Halligan) and found to be correct: SB 342.
Examined by the sponsor (Neuman) and found to be correct: SB 345.
Examined by the sponsor (Yellowtail) and found to be correct: SB 404.
Examined by the sponsor (Blaylock) and found to be correct: SJR 6.
Signed by the President at 4:30 p.m., 3/26/85: HB 2, HB 21, HB 245, HB 274, HB 283, HB 288, HB 339, HB 371, HB 373, HB 380, HB 394, HB 406, HB 414, HB 470, HB 478, HB 484, HB 561, HB 564, HB 581, HB 618, HB 653, HB 685, HB 746, HB 800, HB 831, HJR 15.
Delivered to the Governor for his approval at 3:30 p.m., 3/26/85: SB 79, SB 90, SB 144, SB 151, SB 180, SB 225, SB 235, SB 253, SB 267, SB 290, SB 292, SB 298, SB 302, SB 339, SB 358, SB 359, SB 373, SB 378.
Correctly printed and placed on the members' desks: SJR 32, SJR 33, SJR 34. 3/27/85
Correctly enrolled: SB 134, SB 146, SB 196, SB 223, SB 261, SB 263, SB 272, SB 274, SB 310, SB 342, SB 345, SB 404, SJR 6, SJR 20, SJR 24.

Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 3/27/85
HB 721, be concurred in. Report adopted.

FISH AND GAME (Conover, Chairman): 3/26/85
HB 282, be concurred in. Report adopted.
HB 611, be concurred in. Report adopted.
HB 763, third reading copy, be amended as follows:

1. Statement of intent.
Following: line 22
Insert: "It is the intent of the legislature that the regulated hunting of wild buffalo allowed by House Bill No. 763 be considered only one of many solutions available to the department and the national park service for controlling the migration of wild buffalo across the boundaries of Yellowstone national park. The legislature encourages further negotiations and cooperation between the department and the national park service to seek other methods of controlling, as soon as possible, the migration of wild buffalo into Montana from Yellowstone national park."

And, as amended, be concurred in. Report adopted.

HB 764, be concurred in. Report adopted.
HB 770, third reading copy, be amended as follows:

1. Statement of intent, line 6.
Following: "section"
Strike: "11"
Insert: "10"

2. Statement of intent, line 8.
Following: "Section"
Strike: "11"
Insert: "10"

3. Page 1, line 12.
Following: "section"
Strike: "12"
Insert: "11"

4. Page 1, line 20.
Following: "through"
Strike: "13"
Insert: "12"

5. Page 2, line 15.
Following: "through"
Strike: "13"
Insert: "12"

6. Page 3, line 22.
Following: "section"
Strike: "10"
Insert: "9"

7. Page 4, line 3.
Following: "wildlife"
Insert: "or feral"

8. Page 4, line 4.
Following: "section"
Strike: "10"
Insert: "9"

9. Page 4, line 5.
Following: "wildlife"
Insert: "or feral"

10. Page 4, line 13.
Following: "wildlife"
Insert: "or feral"

11. Page 5, lines 1 through 5.
Strike: section 8 in its entirety
Renumber: subsequent sections

12. Page 6, line 20.
Following: "rule"
Insert: "and subject to the provisions of [section 4]"

13. Page 6, line 25.
Following: "7 and"
Strike: "10"
Insert: "9"

14. Page 7, line 7.
Following: "sections 5"
Strike: ","
Insert: "and"
Following: "6"
Strike: ", and 8"

15. Page 7, line 12.
Following: "through"
Strike: "13"
Insert: "12"

16. Page 8, line 1.
Following: "through"
Strike: "13"
Insert: "12"

17. Page 8, line 9.
Following: "through"
Strike: "13"
Insert: "12"

18. Page 8, line 11.
Following: "through"
Strike: "13"
Insert: "12"

And, as amended, be concurred in. Report adopted.

HJR 36, be concurred in. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 3/27/85
HB 921, be concurred in. Report adopted.
HJR 23, be concurred in. Report adopted.

Adverse Committee Reports

BUSINESS AND INDUSTRY (Halligan, Chairman): 3/27/85
HB 598, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Lane, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 41

Noes: Boylan, Hirsch, Keating, Kolstad, Lybeck, Mazurek, Weeding.

Total 7

Excused: None.
Total 0

Absent or not voting: Anderson, Daniels.
Total 2

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

March 26, 1985

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Vincent:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return Senate Bill 165, "AN ACT INCREASING THE CREDIT TRANSACTION DURATION PERIOD FOR CREDIT LIFE AND DISABILITY POLICIES EXEMPT FROM REGULATION; AMENDING ~~SECTION~~ SECTIONS 33-20-1105 AND 33-21-102, MCA; AND PROVIDING AN APPLICABILITY DATE," without my signature and recommend the attached amendment for the following reason:

Section 33-21-102, MCA, currently provides that all credit life and disability insurance policies of more than ten years' duration are exempt from regulation under The Model Act for the Regulation of Credit Life Insurance and Credit Disability Insurance. As initially introduced, the sole effect of Senate Bill 165 was to raise the 10-year limitation to 15 years. The title accurately reflected the content of the bill.

Senate Bill 165 was amended, however, to delete two provisions from Section 33-20-1105 of the insurance code. The deleted provisions classify insurable debtors and limit debtor group life insurance policies to five years for debts payable in a lump sum. Unfortunately, the title of Senate Bill 165 was not amended to reflect these changes.

My proposed amendment makes the necessary changes in the title. I urge your concurrence in this amendment.

Governor's Proposed Amendments
to SB 165

1. Title, line 4.
Following: "ENTITLED: "AN ACT"
Insert: "GENERALLY REVISING THE LAW REGARDING DEBTOR GROUP LIFE, CREDIT LIFE, AND CREDIT DISABILITY INSURANCE POLICIES;"

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate

March 26, 1985

State Capitol
Helena, Montana 59620

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 169 and 201 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bills concurred in and returned to the Senate: 3/26/85

SB 81, introduced by Aklestad

SB 130, introduced by Harding, et al.

SB 187, introduced by Towe

SB 188, introduced by Towe

SB 239, introduced by Lybeck, Ramirez

SB 259, introduced by Van Valkenburg, Donaldson

SB 278, introduced by Boylan

SB 294, introduced by Crippen, et al.

SB 341, introduced by Haffey, et al.

SB 384, introduced by Shaw, et al.

SB 414, introduced by Towe

SB 422, introduced by Van Valkenburg

SB 450, introduced by Christiaens, et al.

SB 454, introduced by Fuller, et al.

SB 464, introduced by Severson, et al.

SJR 15, introduced by Christiaens, et al.

SJR 19, introduced by Manning, et al.

SJR 21, introduced by B. Brown

SJR 27, introduced by Stimatz, et al.

Senate bills concurred in as amended and returned to the Senate for concurrence in House amendments: 3/26/85

SB 119, introduced by Eck, et al.

SB 126, introduced by McCallum

SB 160, introduced by Fuller, J. Brown

SB 167, introduced by Regan, et al.

SB 255, introduced by Galt, Schye

SB 289, introduced by E. Smith, et al.

SB 326, introduced by Himsl, et al.

SB 332, introduced by Towe, et al.

SB 380, introduced by Thayer, et al.

SB 420, introduced by Van Valkenburg

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 155, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Shaw.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 277 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Lynch, Mohar, Shaw.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 453 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Keating, Shaw.

Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 506 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Shaw.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 554 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Boylan, Galt, Goodover, Keating, Shaw.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 635 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Blaylock, Lybeck, Shaw.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate recess, subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 2:52 p.m.

Senate reconvened at 3:41 p.m.

Senator Van Valkenburg moved that consideration on HB 910, on second reading this legislative day, be passed. Motion carried unanimously.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Regan in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 32 - That HJR 32 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 10 - That House amendments to SB 10 be concurred in. Motion carried as follows:

Ayes: Bengtson, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Haffey, Harding, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Neuman, Severson, Stephens, Thayer, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 28

Noes: Aklestad, Anderson, Blaylock, Boylan, Brown, Farrell, Goodover, Halligan, Hammond, Himsl, Hirsch, McCallum, Pinsoneault, Regan, Shaw, Smith, Stimatz, Story, Tveit, Williams.
Total 20

Excused: None.
Total 0

Absent or not voting: Hager, Mohar.
Total 2

SB 11 - That House amendments to SB 11 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 66 - That House amendments to SB 66 be not concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Lane, Lybeck, Lynch, Mazurek, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 41

Noes: Boylan, Jacobson, Manning.
Total 3

Excused: None.
Total 0

Absent or not voting: Hager, Kolstad, McCallum, Mohar, Story, Mr. President.
Total 6

SB 91 - That House amendments to SB 91 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.

Total 0

Senator Haffey in the Chair.

SB 99 - That House amendments to SB 99 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 44

Noes: Keating, Mazurek, Neuman, Regan, Towe, Yellowtail.
Total 6

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 105 - That House amendments to SB 105 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Regan in the Chair.

SB 106 - That House amendments to SB 106 be not concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 184 - That House amendments to SB 184 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Towe.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 194 - That House amendments to SB 194 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 221 - That House amendments to SB 221 be not concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Goodover, Keating, Shaw, Story, Thayer.
Total 5

Excused: None.
Total 0

Absent or not voting: Bengtson, Towe.
Total 2

SB 226 - That House amendments to SB 226 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 296 - That House amendments to SB 296 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 314 - That House amendments to SB 314 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 416 - That House amendments to SB 416 be not concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 214 - That HB 214 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 228 - That HB 228 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 259 - That HB 259 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Neuman excused at this time.

HB 419 - That HB 419 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

HB 454 - That HB 454, third reading copy, be amended as follows:

1. Page 2, line 13.
Following: "institution"
Strike: "shall"
Insert: "may, at the discretion of the county commissioners,"

2. Page 2, line 14.
Following: "(1),"
Strike: "the sum of"
Insert: "up to"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Crippen, Eck, Fuller, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Keating, McCallum, Pinsoneault, Regan, Shaw, Smith, Stephens, Story, Tveit, Van Valkenburg, Weeding.
Total 27

Noes: Conover, Daniels, Farrell, Haffey, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Mazurek, Severson, Stimatz, Towe, Williams, Yellowtail.
Total 17

Excused: Neuman.

Total 1

Absent or not voting: Boylan, Manning, Mohar, Thayer, Mr. President.
Total 5

That HB 454, as amended, be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Himsl, Jacobson, Lane, Lybeck, Manning, Mazurek, Mohar, Pinsoneault, Regan, Stimatz, Story, Towe, Weeding, Williams, Yellowtail, Mr. President.
Total 31

Noes: Aklestad, Goodover, Hammond, Harding, Hirsch, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Thayer, Tveit.
Total 14

Excused: Neuman.
Total 1

Absent or not voting: Boylan, Halligan, Lynch, Van Valkenburg.
Total 4

HB 594 - That HB 594 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

HB 622 - That HB 622 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Daniels, Shaw, Towe.
Total 3

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

HB 627 - That HB 627 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

HB 665 - That HB 665, third reading copy, be amended as follows:

1. Page 2, lines 19 through 21.
Following: "attorney"
Strike: remainder of line 19 through "SERVICES" on line 21

Amendment failed as follows:

Ayes: Anderson, Blaylock, Farrell, Hager, Hammond, Himsl, Keating, Lybeck, Mazurek, Mohar, Pinsoneault, Severson, Story, Thayer, Towe, Weeding.
Total 16

Noes: Bengtson, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Harding, Hirsch, Jacobson, Lynch, Manning, McCallum, Regan, Smith, Stephens, Van Valkenburg.
Total 21

Excused: Neuman.
Total 1

Absent or not voting: Aklestad, Boylan, Galt, Halligan, Kolstad, Lane, Shaw, Stimatz, Tveit, Williams, Yellowtail, Mr. President.
Total 12

That HB 665 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

HB 714 - That HB 714 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Farrell, Fuller, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Pinsoneault, Severson, Shaw, Stephens, Stimatz, Thayer, Towe, Tveit, Weeding, Yellowtail.
Total 36

Noes: Daniels, Haffey, Halligan, Lynch, Mohar, Regan, Smith, Story, Van Valkenburg, Mr. President.
Total 10

Excused: Neuman.
Total 1

Absent or not voting: Boylan, Eck, Williams.
Total 3

HB 730 - That HB 730 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

HB 853 - That HB 853, Senate Labor and Employment Relations Standing Committee report, March 19, 1985, be amended as follows:

1. Amendment No. 9.

(a) line 6 of inserted material
Following: "be"
Strike: "by"

(b) line 8 of inserted material
Following: "be"
Strike: "performed by"

(c) line 10 of inserted material
Following: "percentage of"
Strike: "work by"

2. Statement of intent.

(a) line 6 of the text
Following: "of the"
Strike: "work"
Insert: "workers"

(b) line 7 of the text
Following: "be"

Strike: "performed by"

(c) line 11 of the text
Following: "of the"
Strike: "work by"
Insert: "workers of"
Following: "contractor"
Strike: "can be"
Insert: "are"

(d) lines 12 and 13 of the text
Strike: "performed by" on line 12
Following: "residents"
Strike: remainder of line 12 through "performed" on line 13

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

That HB 853, as amended, be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Aklestad, Crippen, Keating.
Total 3

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

HB 95 - That HB 95 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

Senator Neuman present at this time.

HB 187 - That HB 187 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 354 - Senator Van Valkenburg moved that consideration on HB 354 be passed and that it be placed at the top of the second reading board on the 67th legislative day. Motion carried unanimously.

HB 396 - That HB 396 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 423 - Senator Van Valkenburg moved that consideration on HB 423 be passed and that it be placed below HB 354 on the 67th legislative day. Motion carried unanimously.

HB 457 - That HB 457 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 460 - That HB 460 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 516 - That HB 516 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 517 - That HB 517 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith,

Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Regan moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

BUSINESS AND INDUSTRY (Halligan, Chairman): 3/27/85

HB 121, third reading copy, be amended as follows:

1. Title, lines 5 through 10.
Following: "PRESCRIBE A" on line 5
Strike: remainder of line 5 through "USAGE" on line 10
Insert: "DECLINING BLOCK RATE STRUCTURE FOR ELECTRIC SERVICE WHEN COST-JUSTIFIED"

2. Page 1.
Strike: line 14 on page 1 through line 21 on page 2 in their entirety

3. Page 4, lines 4 through 10.
Following: "COST-JUSTIFIED" on line 4
Strike: remainder of line 4 through "uses" on line 10

And, as amended, be concurred in. Report adopted.

HB 338, third reading copy, be amended as follows:

1. Title.
Following: line 12
Strike: "AND"
Following: "33-17-1101,"
Insert: "AND 33-17-1102,"

2. Page 3, line 20.
Following: "(8)"
Strike: "(a)"

3. Page 3.
Following: line 25
Strike: "(i)"
Insert: "(a)"

4. Page 4.
Following: page 3
Strike: "(ii)"
Insert: "(b)"

5. Page 4.

Following: line 2
Strike: "(iii)"
Insert: "(c)"

6. Page 4, lines 5 and 6.
Strike: subsection (b) in its entirety

7. Page 8, line 8.
Following: "insurance."
Insert: "An insurer authorized to transact any combination of kinds of insurance, including title insurance, under an existing certificate of authority may continue to do so until the certificate of authority is renewed effective June 1, 1986."

8. Page 9, line 20.
Following: "insured"
Strike: "or assigns"

9. Page 10, line 17.
Following: "pay"
Insert: "any"
Following: "interest"
Insert: "received"
Following: "funds"
Strike: ","

10. Page 14, line 3.
Following: "insurance"
Strike: "agent or franchise relationship"
Insert: "agency"

11. Page 22, line 7.
Following: "~~(5)~~"
Strike: "(6)"
Insert: "(5)"

12. Page 23, lines 6 through 9.
Strike: subsection 5 in its entirety
Renumber: subsequent subsection

13. Page 23, line 22.
Following: "~~(5)~~"
Strike: "(6)"
Insert: "(5)"

14. Page 26.
Following: line 14
Insert: "Section 21. Section 33-17-1102, MCA, is amended to read:

"33-17-1102. Reporting and accounting for premiums. (1) All premiums or return premiums received by an agent or solicitor shall be trust funds so received by the licensee in a fiduciary capacity, and the agent or solicitor shall in the applicable regular course of business account for and pay the same to the insured, insurer, or agent entitled thereto. ~~If~~ Except for a title agent as defined in [section 2], if the licensee establishes a separate deposit for funds so belonging to others in order to avoid a commingling of such fiduciary funds with his own funds, he may deposit and commingle in the same such separate deposit all such funds belonging to others so long as the amount of such deposit so held for each respective other person is reasonably ascertainable from the records and accounts of the licensee.

(2) Any agent or solicitor who, not being lawfully entitled thereto, diverts or appropriates such funds or any portion thereof to his own use is, upon conviction, guilty of theft and shall be punished as provided by law.""

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Blaylock, Chairman): 3/28/85

HB 18, be concurred in. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 3/27/85

SJR 35, introduced bill, be amended as follows:

1. Page 2, lines 10 and 11.
Following: "committee" on line 10
Strike: remainder of line 10 through "Committee," on line 11

2. Page 3, line 17.
Following: "lottery and the"
Insert: "social and economic"

3. Page 3.
Following: line 24
Insert: "(4) If HB 945 is passed, the written report of the study, findings, and conclusions required by subsection (3) must be completed by July 1, 1986."

And, as amended, do pass. Report adopted.

HB 160, third reading copy, be amended as follows:

1. Statement of intent, page 1, lines 1 through 14.
Strike: statement of intent in its entirety

2. Title, line 10.
Following: "SECTION"
Strike: "15-24-207"
Insert: "61-3-101"

3. Pages 1 through 9.
Strike: everything following the enacting clause
Insert: "NEW SECTION. Section 1. Mobile home or housetrailer — transfer of interest. (1) Upon a transfer of any interest in a mobile home or housetrailer under the provisions of this chapter, the application for the transfer shall be made through the county treasurer's office in the county in which the mobile home or housetrailer is located at the time of the transfer.

(2) When a mobile home or house trailer is sold under contract or under such conditions that title is not immediately conveyed, the parties to the transaction shall immediately file with the county clerk and recorder a notice of intention to transfer title. The notice must indicate the name of the party who is thereafter responsible for payment of taxes upon the mobile home or housetrailer. The clerk and recorder shall immediately notify the county assessor of the information in the notice. The penalty provisions of 61-3-201(2) do not apply if the notice of intent to transfer is filed with the county clerk and recorder within 20 days after the transfer.

Section 2. Section 61-3-101, MCA, is amended to read:

"61-3-101. Duties of division of motor vehicles — records. (1) The division of motor vehicles shall keep a record as hereinafter specified of all motor vehicles, trailers, and semitrailers of every kind, and of certificates of registration and ownership thereof, and of all dealers in motor vehicles.

(2) In the case of motor vehicles, trailers, and semitrailers, the record shall show the following:

(a) name of owner, residence by town and county, and business address;

(b) name and address of conditional sales vendor, mortgagee, or other lienholder and amount due under contract or lien;

(c) manufacturer of car;

(d) manufacturer's designation of style of car or vehicle;

(e) identifying number;

(f) year of manufacture;

(g) character of motive power and shipping weight of car as shown by the manufacturer;

(h) the distinctive license number assigned to the vehicle;

(i) if a truck or trailer, the number of tons' capacity or GVW if imprinted on manufacturer's identification plate;

(j) such other information as may from time to time be found desirable.

(3) The division shall file applications for registration received by it from the county treasurers of the state and register the vehicles therein described and the owners thereof in suitable books or on index cards, as follows:

(a) under the distinctive license number assigned to the vehicle by the county treasurer;

(b) alphabetically under the name of the owner;

(c) numerically under make and identifying number of the vehicle;

(d) such other index of registration as the division considers expedient.

(4) Vehicle registration records and indexes and driver's license records and indexes may be maintained by electronic recording and storage media.

(5) In the case of dealers, the records shall show the information contained in the application for dealer's license as required by 61-4-101 through 61-4-105, as well as the distinctive license number assigned to the dealer.

(6) In order to prevent an accumulation of unneeded records and files, the division shall have the authority and it shall be its duty to destroy all records and files which have ceased to be of any value.

(7) The division may establish and maintain a short-wave radio station in order to report motor vehicle registration information to the highway patrol, to sheriffs, and to the chiefs of police of each

incorporated city of the state who are able to communicate with such short-wave radio station.

(8) All records shall be open to inspection during all reasonable business hours, and the division shall furnish any information from the records upon payment by the applicant of the cost of transcribing the information requested.

~~(9) Within 30 days following the end of each calendar quarter, the division shall send to each county assessor and to the department of revenue a list of the certificates of ownership for housetrailers and mobile homes issued during the preceding calendar quarter to owners within each assessor's respective county. The list must contain the name and address of the owner or the names and addresses of joint owners and a description of the housetrailer, including the year built and the serial number.~~"

NEW SECTION. Section 3. Codification instruction. Section 1 is intended to be codified as an integral part of Title 61, chapter 3."

And, as amended, be concurred in. Report adopted.

TAXATION (Towe, Chairman): 3/27/85

HB 101, third reading copy, be amended as follows:

1. Page 2.
Strike: lines 14 through 17 in their entirety
Insert: "

	under 200 cc	200 cc to under 750 cc	750 cc and over
less than 4 years old	$16	$40	$80
4 to 8 years old	$ 8	$20	$40
over 8 years old	$ 4	$10	$20"

And, as amended, be concurred in. Report adopted.

HB 315, be concurred in. Report adopted.

HB 616, third reading copy, be amended as follows:

1. Page 2, lines 15 and 16.
Following: "municipality,"
Strike: "CITY MANAGER IN CITY COMMISSION FORM OF GOVERNMENT,"

2. Page 2.
Following: line 24
Insert: "(7) "Owner" means a person in whom appears the legal title to real property by deed duly recorded in the county records or a person in possession of real property under claim of ownership for himself or as the personal representative, agent, or guardian of the owner."

3. Page 3, lines 4 through 6.
Following: "district" on line 4
Strike: remainder of line 4 through "except" on line 6
Following: "as" on line 6
Strike: "otherwise"

4. Page 3, lines 10 through 15.
Strike: lines 10 through 15 in their entirety

Insert: "Section 5. Resolution of intention to create business improvement district — notice. (1) Before creating a district, the governing body shall pass a resolution of intention to do so designating the boundaries thereof.

(2) Notice of passage of the resolution must be published for 5 days in a daily newspaper or in one issue of a weekly paper published in the municipality or county or, in case no newspaper is published in the municipality or county, then by posting for 5 days in three public places in the municipality or county. A copy of the notice shall be mailed to every owner of real property within the proposed district listed on the last completed assessment roll for state, county, and school district taxes, at the owner's last-known address, on the same day the notice is first published or posted.

(3) The notice must describe the general purpose of the district and designate the time when and the place where the governing body will hear and pass upon all protests that may be made against the creation of such district. The notice shall refer to the resolution on file with the governing body or clerk, if any, for the description of the boundaries.

Section 6. Protest against proposed district. (1) Any owner of property liable to be assessed may make written protest against the extent or creation of the district to be assessed, or both.

(2) The protest must be in writing and must be delivered to the governing body or its clerk, if any, not later than 5 p.m. of the last day within 15 days after the date of the first publication of the notice of the resolution of intention. The date and hour of receipt of the protest shall be endorsed thereon.

Section 7. Hearing on protest — sufficient protest to bar proceedings. (1) At a regular meeting of the governing body after the expiration of the time within which protest may be made, the governing body shall proceed to hear and pass upon all protests. Its decision shall be final and conclusive.

(2) The governing body may adjourn the hearing from time to time. A protestant shall have the right to withdraw a protest at any time before final action thereon by the council or commission.

(3) No further proceedings may be taken for a period of 1 year from the date when protest has been received by the governing body by owners of more than 50% of the property to be assessed for the district.

Section 8. Resolution creating business improvement district. When no protests have been delivered to the governing body within 15 days after the date of the first publication of the notice of the passing of the resolution of intention, when a protest shall have been found by the governing body to be insufficient or has been overruled, or when a protest against the extent of the proposed district has been heard and denied, the governing body has jurisdiction to order the creation of the district and shall pass a resolution creating the district in accordance with the resolution of intention."

Renumber: subsequent sections

5. Page 6.
Following: line 14
Strike: "assess a tax"

Insert: "levy an assessment"

6. Page 6, line 22.
Following: "levy"
Strike: "and assess a tax"
Insert: "an assessment"

7. Page 6, line 24.
Following: "BASIS"
Strike: "THE METHOD"
Insert: "one of the methods"

8. Page 6, line 25.
Following: "section"
Strike: "11"
Insert: "15"

9. Page 7.
Following: line 3
Strike: section 11 in its entirety
Insert: "Section 15. Assessment of costs — area, lot, and taxable valuation options. (1) At the same time the board submits the annual budget and work plan to the governing body as provided in [section 14], the board shall also recommend to the governing body a method of levying an assessment on the property within the district which will best ensure that the assessment on each lot or parcel is equitable in proportion to the benefits to be received.

(2) The governing body shall assess the entire cost of the district against the entire district using a method which best ensures that the assessment on each lot or parcel is equitable in proportion to the benefits to be received. In determining the method of assessment to be used, the governing body shall consider the recommendations of the board. The governing board shall levy the assessment using one of the following methods:

(a) each lot or parcel of land within such district may be assessed for that part of the whole cost which its area bears to the area of the entire district, exclusive of streets, avenues, alleys, and public places;

(b) if the governing body determines that the benefits derived by each lot or parcel are substantially equivalent, the cost may be assessed equally to each lot or parcel located within the district without regard to the area of the lot or parcel;

(c) each lot or parcel of land, including the improvements thereon, may be assessed for that part of the whole cost of the district which its taxable valuation bears to the total taxable valuation of the property of the district; or

(d) by using any combination of the assessment options provided in subsections (a) through (c)."

10. Page 8, lines 1 and 2.
Following: "is" on line 1
Strike: remainder of line 1 through line 2
Insert: "for the period specified in the resolution of the governing body creating the district but shall not be for a period longer than 10 years unless the duration of the district is extended in compliance with the provisions of [this act] for the creation of a district."

And, as amended, be concurred in. Report adopted.

HB 884, be concurred in. Report adopted.

Senator Van Valkenburg moved that the Senate adjourn until 2:30 p.m., March 28, 1985.

Motion carried.

Senate adjourned at 5:59 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

SIXTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
March 28, 1985

Senate Chambers
State Capitol

Senate convened at 2:33 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the sixty-sixth legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 3/27/85
Signed by the President at 4:00 p.m., 3/27/85: SB 134, SB 146, SB 196, SB 223, SB 261, SB 263, SB 272, SB 274, SB 310, SB 342, SB 345, SB 404, SJR 6, SJR 20, SJR 24.
Correctly printed and placed on the members' desks: SJR 35. 3/28/85
Delivered to the Governor for his approval at 10:00 a.m., 3/28/85: SB 134, SB 146, SB 196, SB 223, SB 261, SB 263, SB 272, SB 274, SB 310, SB 342, SB 345, SB 404.

Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 3/28/85
HB 236, third reading copy, be amended as follows:

1. Title, line 5.
Following: "A GAME"
Insert: "PLAYED AGAINST THE HOUSE AND A GAME OF DRAW POKER"

2. Title, line 6.
Following: "MACHINE;"
Insert: "PROVIDING FOR LICENSING OF THE MECHANICAL OR ELECTRONIC VIDEO CARD GAME OF DRAW POKER;"
Following: "AMENDING"
Strike: "SECTION"
Insert: "SECTIONS"
Following: "23-5-302,"
Insert: "23-5-311, AND 23-5-321,"
Following: "MCA"
Insert: "; AND PROVIDING EFFECTIVE DATES"

3. Page 1, line 14.
Following: "part"
Insert: ", including a card game played against the house"

4. Page 1, line 16.
Following: "including a game"
Insert: "of draw poker"

5. Page 1.
Following: line 18
Insert: "Section 2. Section 23-5-311, MCA, is amended to read:

"23-5-311. Authorized card games. (1) It is unlawful for any person:

(a) to conduct or participate in any card game or make any tables available for the playing of card games except those card games authorized by this part~~.~~; or

(b) to make any mechanical or electronic video game machine available for the playing of a game that simulates a game played with cards except in conformance with [section 4].

(2) The card games authorized by this part are and are limited to the card games known as bridge, cribbage, hearts, panguingue, pinochle, pitch, rummy, whist, solo, and poker."

Section 3. Section 23-5-321, MCA, is amended to read:

"23-5-321. Licensing by local governing bodies. (1) Any city, town, or county may issue licenses for the games provided for in this part to be conducted on premises which have been licensed for the sale of liquor, beer, food, cigarettes, or any other consumable products. Within the cities or towns, such licenses may be issued by the city or town council or commission. Licenses for games conducted on premises outside the limits of any city or town may be issued by the county commissioners of the respective counties. When a license ~~has been~~ is required by any city, town, or county, no game as provided for in this part ~~shall~~ may be conducted on any premises which ~~have been~~ are licensed for the sale of liquor, beer, food, cigarettes, or any other consumable product ~~without~~ unless such license ~~having~~ is first ~~been~~ obtained.

(2) ~~Any~~ In addition to the license fee required to be paid to the department of revenue under [section 4], any governing body may charge an annual license fee for each license so issued under this part, which license fee, if any, shall expire on June 30 of each year, and such fee shall be prorated.

(3) Any license issued pursuant to this part shall be deemed to be a revocable privilege, and no holder thereof may acquire any vested rights therein or thereunder."

NEW SECTION. Section 4. Licensing mechanical or electronic video game machine — limitation — contract term — fees — rules. (1) The department of revenue shall, upon payment of the fee provided in subsection (2) and in conformance with rules adopted pursuant to subsection (3), issue a license for each mechanical or electronic video game machine that is available for the playing of a game that simulates the card game of draw poker, provided that no license may be used under this section:

(a) that would allow any applicant to make available more than five machines licensed under this section; and

(b) unless the applicant has entered into a contract with the machine's owner, if the owner is a person other than the applicant, for the placement of the machine for a minimum term of 30 months.

(2) Each mechanical or electronic video game machine simulating the game of draw poker is subject to an annual license fee of $1,200, 25% of which is deposited to the general fund and 75% of which is forwarded, 30 days after collection, to the treasurer of the county or the clerk, finance officer, or treasurer of the incorporated city or town in which the licensed machine is located for deposit in the county or municipal general fund. Under [this act], counties will not

receive proceeds from fees on licensed machines located in incorporated cities and towns. The license expires on June 30 of each year, and the fee is prorated.

(3) The department of revenue shall adopt rules necessary to implement this section and to provide for the design, manufacture, distribution, and accounting of validating devices to be attached to machines licensed under subsection (1).

NEW SECTION. Section 5. Codification instruction. Section 4 is intended to be codified as an integral part of Title 23, chapter 5, part 3, and the provisions of Title 23, chapter 5, part 3, apply to section 4.

NEW SECTION. Section 6. Effective dates. (1) This section and subsection (3) of section 4 are effective on passage and approval for the purpose of adoption of rules that are applicable on July 1, 1985.

(2) The remainder of this act is effective July 1, 1985."

And, as amended, be concurred in. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
HB 236

A statement of intent is required for House Bill No. 236, as amended, because it gives the department of revenue authority to make rules to implement the licensing of mechanical or electronic draw poker video game machines and to distribute the fees received from the licensing of mechanical or electronic video game machines according to the provisions of this act. It is the intention of the legislature that the rules be consistent with other relevant laws and existing rules. It is further the intention of the legislature that the department cause to be designed and manufactured a distinctive device that will serve as an identifying and validating mark for each game machine so licensed. The department shall further provide methods to account for all such devices and to enforce the provision that no mechanical or electronic video game machine be made available to the public unless it has been duly licensed, with fee paid and validating device attached.

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman):
3/27/85

HJR 19, be concurred in. Report adopted.
HB 235, third reading copy, be amended as follows:

1. Statement of intent, page 2.
Following: line 1
Insert: "The legislature also intends that the board adopt rules for approving dental practice facilities in which general anesthesia is induced. The board may also adopt rules for approving dental practice facilities in which conscious sedation or nitrous oxide analgesia is used. In formulating any such rules, the board may look to similar rules developed by dental boards in California, Arizona, Texas, and other states. The board may appoint teams to inspect dental practice facilities. Initially these teams may include a majority of anesthesiologists. When a sufficient number of approved facilities exists, oral surgeons may constitute a majority of each inspection team. Rules for approving facilities should also establish the duration of permits, provide for periodic reinspection, and establish application and inspection fees. Compensation should be provided for service on inspection teams."

2. Title, line 12.
Following: "MCA"
Insert: "; AND PROVIDING IMMEDIATE AND DELAYED EFFECTIVE DATES"

3. Page 1.
Following: line 24
Insert: "(c) "Conscious sedation" means a minimally depressed level of consciousness in which the patient breathes normally without assistance, retains protective reflexes, and responds to physical stimulation or verbal command in a manner appropriate to the patient's cognitive level. Conscious sedation is not a form of general anesthesia, and brief interludes of unconsciousness during conscious sedation do not bring conscious sedation within the scope of general anesthesia."
Renumber: subsequent subsections

4. Page 2, line 6.
Following: "tract."
Insert: "General anesthesia is divided into:

(i) full general anesthesia, which means a level of consciousness in which the patient is without intact protective reflexes, is unable to maintain an airway, and is incapable of rational response to query or command; and

(ii) light general anesthesia, which means a level of consciousness in which the patient breathes normally without assistance and retains protective reflexes throughout most of the procedure."

5. Page 2, lines 12 and 13.
Strike: line 12 through "surgical procedures" on line 13
Insert: "or any other anesthetic administered to produce conscious sedation."

6. Page 5, line 3.
Following: "under"
Insert: "full"

7. Page 5.
Following: line 7
Insert: "(3) No person engaged in the practice of dentistry or oral surgery may conduct any dental or surgical procedure upon another person under light general anesthesia unless the vital signs of the patient are continually monitored by another person who is qualified in basic life support procedures and currently certified in cardiopulmonary resuscitation and who meets such additional standards as the board may prescribe."
Renumber: subsequent subsections

8. Page 5, line 17.
Following: "under"
Strike: "subsection"
Insert: "subsections"
Following: "(2)"
Insert: "or (3)"

9. Page 6.
Following: line 19
Insert: "NEW SECTION. Section 5. Effective dates. This act is effective January 1, 1986, except for this section and section 3, which are effective on passage and approval."

And, as amended, be concurred in. Report adopted.

HB 489, third reading copy, be amended as follows:

1. Page 5, line 18.
Following: "facilities."
Strike: "(1)"

2. Page 5, line 25 through page 6, line 2.
Strike: subsection (2) in its entirety

3. Page 10, line 13.
Following: "(B)"
Strike: "IF"
Insert: "When"

4. Page 10, line 14.
Following: "SERVICES"
Strike: "ACCEPTS THE FINANCIAL RESPONSIBILITY FOR"
Insert: "is ordered to pay"

5. Page 13, line 14.
Following: "(B)"
Strike: "IF"
Insert: "When"

6. Page 13, line 15.
Following: "SERVICES"
Strike: "ACCEPTS THE FINANCIAL RESPONSIBILITY FOR"
Insert: "is ordered to pay"

And, as amended, be concurred in. Report adopted.

HB 686, third reading copy, be amended as follows:

1. Page 1, lines 14 through 16.
Following: "county attorney" on line 14
Strike: "/"
Insert: "or"
Following: "general" on line 14
Strike: remainder of line 14 through "SERVICES" on line 16

2. Page 4, line 17.
Following: "county attorney" on line 17
Strike: "/"
Insert: "or"

3. Page 4, lines 18 and 19.
Following: "general" on line 18
Strike: remainder of line 18 through "SERVICES" on line 19

4. Page 5, line 19.
Following: "therein."
Insert: "An attempt must be made to notify the parents or guardian at the same time as the terms of the order are carried out, or as soon thereafter as possible."

And, as amended, be concurred in. Report adopted.

HB 720, third reading copy, be amended as follows:

1. Page 1, line 22.
Following: "that"

Insert: ", contingent upon the receipt of federal funds for this purpose,"

2. Page 1, lines 24 and 25.
Following: "that" on line 24
Strike: remainder of line 24 through "purpose," on line 25

3. Page 4, line 4.
Following: "complaints."
Insert: "The ombudsman shall consult with the attending physician, or with another licensed physician if the attending physician is not available, concerning his interpretation of the resident's medical record and any action that should be taken in response to a complaint."

And, as amended, be concurred in. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 3/27/85
HB 550, third reading copy, be amended as follows:

1. Statement of intent, page 1, line 22.
Following: "granted;"
Strike: "and"

2. Statement of intent, page 1.
Following: line 22
Insert: "(6) the inapplicability of contributing sick leave accrued prior to 1971 to the sick leave fund;

(7) procedures under which an agency or unit of the university system may administer a sick leave fund for agency or unit employees; and"
Renumber: subsequent subsection

3. Title, line 10.
Following: "MCA"
Insert: "; AND PROVIDING A TERMINATION DATE"

4. Page 3, line 17.
Following: "of"
Strike: "one employee"
Insert: "nine persons employed in Helena"

5. Page 3.
Following: line 17
Strike: "is a"
Insert: "are"
Following: "contributing"
Strike: "member"
Insert: "members"

6. Page 3, line 19.
Following: "2-18-618"
Strike: "from"
Insert: "and appointed as follows"

7. Page 3, line 20.
Following: "(a)"
Strike: "each"
Insert: "four from"
Following: "branch"
Strike: "department"
Insert: "departments"

8. Page 3, line 22.
Following: "(b)"
Strike: "the office"
Insert: "two from offices"
Following: "of"
Strike: "each"
Following: "elected"
Strike: "officer"
Insert: "officers"

9. Page 3, line 23.
Following: "who"
Strike: "is"
Insert: "are"

10. Page 3, line 24.
Following: "2-15-104;"
Insert: "and"

11. Page 3, line 25.
Following: "(c)"
Insert: "one each from"
Strike: ";"
Insert: ","

12. Page 4.
Following: page 3
Strike: "(d)"
Following: "government"
Strike: ";"
Insert: ","

13. Page 4.
Following: line 1
Strike: "(e)" through "system"
Insert: "the office of the commissioner of higher education"

14. Page 4.
Following: line 2
Strike: "20-25-201"
Insert: "20-1-101"

15. Page 4, line 4.
Following: "office,"
Insert: "or"
Following: "branch"
Strike: ","
Insert: "and"

16. Page 4.
Following: line 4
Strike: "or unit"
Insert: "the office of the commissioner of higher education"

17. Page 4, line 9.
Following: "pleasure."
Insert: "The operation of the advisory council may be of no direct cost to the state."

18. Page 4.
Following: line 9

Insert: "NEW SECTION. Section 3. Termination date. This act terminates on July 1, 1989."

And, as amended, be concurred in. Report adopted.

HB 739, third reading copy, be amended as follows:

1. Statement of intent, page 1.
Following: line 14
Insert: "It is the intent of the legislature that the act of transferring the board of water well contractors from the department of commerce to the department of natural resources and conservation may not be construed to abridge or otherwise restrict the existing authority and autonomy of the board of water well contractors."

2. Page 3, lines 15 through 19.
Following: "standards." on line 15
Strike: remainder of line 15 through line 19

And, as amended, be concurred in. Report adopted.

HB 864, third reading copy, be amended as follows:

1. Title, line 6.
Following: "ROTATED ON"
Insert: "CERTAIN"

2. Title, line 7.
Following: "VOTING"
Strike: "MACHINES OR"

3. Page 2, line 20.
Following: "voting"
Strike: "machines or"

4. Page 2, line 23.
Following: "13-17-305"
Insert: "; however, if more than 5% of the electors voting in the precinct in the last preceding general election voted using paper ballots, the election administrator shall rotate candidates' names on the paper ballots"

And, as amended, be concurred in. Report adopted.

Adverse Committee Reports

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman):
3/27/85

HB 758, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 44

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Bengtson, Farrell, Hager, Shaw, Stimatz, Weeding.
Total 6

HB 783, third reading copy, be amended as follows:

1. Page 7, line 14.
Following: "contraindicated"
Insert: "or unless other conditions exist which make this right unworkable"

And, as amended, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Lane, Mazurek, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 31

Noes: Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Kolstad, Lybeck, Lynch, Manning, Mohar, Neuman, Regan, Stimatz, Towe, Van Valkenburg.
Total 18

Excused: None.
Total 0

Absent or not voting: Bengtson.
Total 1

HB 798, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Crippen, Daniels, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Pinsoneault, Severson, Shaw, Stephens, Story, Thayer, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 30

Noes: Bengtson, Christiaens, Conover, Eck, Fuller, Halligan, Jacobson, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Regan, Smith, Stimatz, Towe, Van Valkenburg.
Total 18

Excused: None.
Total 0

Absent or not voting: Haffey, McCallum.
Total 2

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bills concurred in and returned to the Senate: 3/27/85

SB 55, introduced by Towe

SB 229, introduced by Boylan, et al.

Senate bills concurred in as amended and returned to the Senate for concurrence in House amendments: 3/27/85

SB 152, introduced by B. Brown

SB 215, introduced by Haffey, et al.

SB 300, introduced by Himsl, et al.

SB 337, introduced by Blaylock

Senate bill not concurred in and returned to the Senate: 3/27/85

SB 457, introduced by McCallum

House bills passed and transmitted to the Senate for concurrence: 3/27/85

HB 224, introduced by Asay, et al.

HB 490, introduced by Bardanouve

HB 607, introduced by Quilici, et al.

HB 897, introduced by Winslow

The House, on 3/27/85, acceded to the request of the Senate for the return of HB 185 and is returning said bill to the Senate for further consideration.

MOTIONS

Senator Story moved that HB 910 be taken from second reading this legislative day and that it be rereferred to the Committee on Legislative Administration. Motion carried as follows:

Ayes: Aklestad, Anderson, Boylan, Brown, Christiaens, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lynch, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Van Valkenburg, Williams.
Total 28

Noes: Bengtson, Blaylock, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Weeding, Yellowtail, Mr. President.
Total 22

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Hammond moved that consideration on HB 354, on second reading this legislative day, be passed. Motion carried unanimously.

Senator Christiaens moved that HB 236 be rereferred to the Committee on Business and Industry. Motion carried unanimously.

Senator Towe moved that HB 363 be placed below HB 564 on second reading this legislative day. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Mazurek, McCallum, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams.
Total 38

Noes: Boylan, Daniels, Halligan, Lynch, Manning, Mohar, Pinsoneault, Van Valkenburg, Mr. President.
Total 9

Excused: None.
Total 0

Absent or not voting: Galt, Keating, Yellowtail.
Total 3

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on House amendments to SB 66. Motion carried unanimously.

The President appointed the following members:

Senator Halligan, Chairman
Senator Yellowtail
Senator Shaw

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on House amendments to SB 106. Motion carried unanimously.

The President appointed the following members:

Senator Daniels, Chairman
Senator Lynch
Senator Shaw

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on House amendments to SB 221. Motion carried unanimously.

The President appointed the following members:

Senator Manning, Chairman
Senator Lynch
Senator Gage

FIRST READING OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 490, introduced by Bardanouve, (By Request of the Department of Institutions). Referred to Committee on Finance and Claims.

HB 607, introduced by Quilici, Peck, Neuman, O'Hara, Marks, Asay, Pavlovich, Abrams, Lynch, Hirsch, B. Williams, D. Brown, Iverson, Holliday, Eck, McCallum, Harp, Harrington, Menahan, Haffey, Mazurek, Spaeth, Manuel, Conover, Jacobson, (By Request of the Governor). Referred to Committee on Taxation.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 680, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Boylan, Brown, Daniels, Kolstad, Lane.

Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 707, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Kolstad, Lane, Lybeck, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Haffey, Jacobson, Keating, Lynch, Manning, Mazurek, Mohar.
Total 7

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 846, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of Senator Blaylock, and without objection, Senator Blaylock's vote on HB 680 be recorded as yes.

At the request of Senator Kolstad, and without objection, Senator Kolstad's vote on HB 680 be recorded as no.

At the request of Senator Daniels, and without objection, Senator Daniels' vote on HB 680 be recorded as no.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Gage in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 423 - That HB 423 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 519 - That HB 519 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 541 - That HB 541 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 560 - That HB 560 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 363 - That HB 363 be concurred in. Senator Daniels made a substitute motion that HB 363 be not concurred in. Substitute motion failed as follows:

Ayes: Blaylock, Conover, Daniels, Haffey, Halligan, Lane, Lynch, Manning, Mohar, Neuman, Regan, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 15

Noes: Aklestad, Anderson, Bengtson, Brown, Christiaens, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Mazurek, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding.
Total 34

Excused: None.
Total 0

Absent or not voting: Boylan.
Total 1

That HB 363, Senate Judiciary Standing Committee Report of March 23, 1985, be amended as follows:

1. Amendment No. 3.
Strike: subsection (7) of inserted material in its entirety
Renumber: subsequent subsection

Amendment passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Gage, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Stephens, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 28

Noes: Aklestad, Boylan, Brown, Crippen, Farrell, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Regan, Severson, Shaw, Smith, Thayer, Tveit.
Total 20

Excused: None.
Total 0

Absent or not voting: Story, Weeding.

Total 2

That HB 363, Senate Judiciary Standing Committee Report of March 23, 1985, be further amended as follows:

1. Amendment No. 3.
Subsection (6)(b) of inserted material.
Strike: "$25,000"
Insert: "$100,000"
Strike: "1%"
Insert: "5%"
Strike: "net worth"
Insert: "gross assets"

Amendment failed as follows:

Ayes: Daniels, Eck, Haffey, Halligan, Lybeck, Lynch, Manning, Mohar, Neuman, Pinsoneault, Regan, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 15

Noes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Farrell, Fuller, Gage, Galt, Goodover, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Mazurek, McCallum, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit.
Total 32

Excused: None.
Total 0

Absent or not voting: Hager, Lane, Weeding.
Total 3

That HB 363, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Crippen, Farrell, Fuller, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Mazurek, McCallum, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Mr. President.
Total 36

Noes: Blaylock, Conover, Daniels, Eck, Haffey, Halligan, Manning, Mohar, Regan, Van Valkenburg, Williams, Yellowtail.
Total 12

Excused: None.
Total 0

Absent or not voting: Lane, Weeding.
Total 2

HB 585 - That HB 585 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 638 - That HB 638 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 654 - That HB 654 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 676 - That HB 676 be concurred in. Motion carried as follows:

Ayes: Bengtson, Blaylock, Christiaens, Conover, Crippen, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lybeck, Manning, Mazurek, Mohar, Pinsoneault, Regan, Stephens, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 23

Noes: Aklestad, Anderson, Boylan, Brown, Farrell, Gage, Galt, Hager, Hammond, Harding, Himsl, Keating, Kolstad, Lane, McCallum, Neuman, Severson, Shaw, Smith, Story, Thayer, Tveit.
Total 22

Excused: None.

Total 0

Absent or not voting: Daniels, Goodover, Lynch, Stimatz, Williams.
Total 5

HB 774 - That HB 774 be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Aklestad, Hammond, Shaw.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 775 - That HB 775 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 779 - Senator Regan moved that consideration on HB 779 be passed. Motion carried unanimously.

HB 788 - That HB 788 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Eck, Neuman.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 796 - Senator Fuller moved that HB 796 be placed below HB 891. Motion carried unanimously.

HB 871 - That HB 871 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 875 - That HB 875 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 891 - That HB 891 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.

Total 0

HB 796 - That HB 796 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Goodover, Keating, Shaw.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 896 - That HB 896 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Keating, Smith, Story.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 901 - Senator Towe moved that consideration on HB 901 be passed. Motion carried unanimously.

HJR 25 - That HJR 25 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Halligan.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 28 - That HJR 28 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 33 - That HJR 33 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 35 - That HJR 35 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 40 - That HJR 40 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Neuman.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 284 - Senator Van Valkenburg moved that HB 284 be moved to the top of the board. Motion carried unanimously.

That HB 284, third reading copy, be amended as follows:

1. Title, lines 11 and 12.
Following: "39-51-2104," on line 11
Insert: "AND"
Following: "39-51-2201," on line 11
Strike: remainder of line 11 through "39-51-2302, on line 12

2. Page 13, line 21 through page 14, line 18.
Strike: section 8 in its entirety
Renumber: subsequent sections

3. Page 15, line 8.
Following: "Sections 6"
Strike: "through 8"
Insert: "and 7"

Amendment failed as follows:

Ayes: Anderson, Boylan, Christiaens, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lane, Lynch, Manning, McCallum, Regan, Shaw, Stimatz, Van Valkenburg, Mr. President.
Total 18

Noes: Aklestad, Bengtson, Blaylock, Brown, Conover, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lybeck, Mazurek, Mohar, Neuman, Pinsoneault, Severson, Smith, Stephens, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail.
Total 32

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 284 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.

Total 48

Noes: Shaw, Mr. President.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Gage moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

BUSINESS AND INDUSTRY (Halligan, Chairman): 3/28/85

HB 127, third reading copy, be amended as follows:

1. Title, line 7.
Following: "~~SYSTEMS;~~"
Insert: "PROVIDING COVERAGE FOR SECURITY ALARM SYSTEMS;"

2. Title, line 14.
Following: "MCA"
Strike: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 3.
Following: line 2
Insert: "installs or maintains a security alarm system,"

4. Page 5.
Following: line 21
Insert: "(17) "Security alarm system" means an assembly of equipment and devices or a single device such as a solid state unit which plugs directly into a 110-volt AC line, designed to detect or signal or to both detect and signal unauthorized intrusion, movement, or criminal acts at a protected premises, to which signals police, private security guards, or alarm response runners are expected to respond. Fire alarm systems and alarm systems that monitor temperature, humidity, or any other atmospheric condition not directly related to the detection of an unauthorized intrusion or criminal act at a premises are not included within the meaning of this definition."
Renumber: subsequent subsections

5. Page 7, line 10.
Following: "at law"
Insert: ", a paralegal or legal assistant employed by an attorney at law,"

6. Page 7, line 25.
Following: "them;"
Strike: "or"

7. Page 8, line 2.
Following: "37-60-101(10)"

Insert: "; or

(9) an internal investigator or auditor, while making an investigation incidental to the business of the agency or company by which he is singularly employed"

8. Page 13, line 4.
Following: "~~37-60-105 and~~"
Insert: "37-60-105 and"

9. Page 17, lines 5 and 6.
Strike: section 10 in its entirety

And, as amended, be concurred in. Report adopted.

HB 462, third reading copy, be amended as follows:

1. Page 3, line 14.
Following: "(3)"
Strike: "Furniture"
Insert: "Except as provided in subsection (4), furniture"

2. Page 3, lines 20 and 21.
Following: "(4)"
Strike: remainder of line 20 through "ANY" on line 21
Insert: "Any"

3. Page 3, line 22.
Following: "DEPARTMENT"
Insert: "may purchase prison-made furniture without complying with the procurement provisions under Title 18, chapter 4"

And, as amended, be concurred in. Report adopted.

HB 475, third reading copy, be amended as follows:

1. Page 2, line 17.
Following: "~~state~~"
Insert: "except that the director may not charter a credit union not having a common bond of membership as defined in 32-3-304"

2. Page 10, line 3.
Following: "constituted"
Strike: "share guarantor or"

3. Page 10, line 9.
Following: "approved"
Strike: "share guarantor or"

4. Page 10, line 18.
Following: "of"
Strike: "a share guarantor or"
Insert: "an"

5. Page 10, line 22.
Following: "of"
Strike: "a share guarantor or"
Insert: "an"

And, as amended, be concurred in. Report adopted.

HB 567, third reading copy, be amended as follows:

1. Page 1.
Following: line 12

Strike: everything after the enacting clause

Insert: "Section 1. Notice required for cancellation. No insurer may cancel a life insurance policy, certificate of insurance, or annuity for nonpayment of premiums until the insurer has mailed or delivered to the named insured at the address shown in the policy one written notice of cancellation in addition to any billing statement, stating the date the cancellation will become effective, which may not be less than 30 days after the date of mailing or delivery of the notice.

Section 2. Contents of notice — proof — limitation on recovery — exemptions. (1) (a) The notice of cancellation shall state:

(i) the amount of the premium, installment, or interest due on such policy;

(ii) the place where it must be paid; and

(iii) the name and address of the person or company to which the premium is payable.

(b) The notice must also state that unless the premium or other sums are paid to the company or its agent, the policy will lapse or be forfeited, except as to any nonforfeiture options provided for by a life insurance policy.

(2) "Policyowner", as used in this section, means the owner of the policy or any other person designated as the person to receive premium notices, as shown by the records of the insurance company.

(3) The affidavit of any responsible officer, clerk, or agent of the insurance company authorized to mail the notice that it is the standard practice of the company to mail to policyowners the notice required by this section is prima facie evidence that the notice has been duly given.

(4) No action may be maintained to recover under a lapsed or forfeited policy on the ground that the insurance company failed to comply with this section unless the action is instituted within 2 years from the due date upon which default was made in paying the premium, installment, or interest for which lapse or forfeiture is claimed.

(5) This section does not apply to:

(a) group or group-type policies;

(b) industrial life or industrial disability policies;

(c) policies upon which premiums are payable monthly or at more frequent intervals; or

(d) policies for which the premiums are billed to and payable through an employer.

Section 3. Notice required for cancellation. No insurer may cancel a disability insurance policy or certificate of insurance for nonpayment of premiums until the insurer has mailed or delivered to the named insured at the address shown in the policy one written notice of cancellation in addition to any billing statement, stating the date the cancellation will become effective, which may not be less than 30 days after the date of mailing or delivery of the notice.

Section 4. Contents of notice — proof — limitation on recovery — exemptions. (1) (a) The notice of cancellation shall state:

(i) the amount of the premium, installment, or interest due on such policy;

(ii) the place where it must be paid; and

(iii) the name and address of the person or company to which the premium is payable.

(b) The notice must also state that unless the premium or other sums are paid to the company or its agent, the policy will lapse or be forfeited.

(2) "Policyowner", as used in this section, means the owner of the policy or any other person designated as the person to receive premium notices, as shown by the records of the insurance company.

(3) The affidavit of any responsible officer, clerk, or agent of the insurance company authorized to mail the notice that it is the standard practice of the company to mail to policyowners the notice required by this section is prima facie evidence that the notice has been duly given.

(4) No action may be maintained to recover under a lapsed or forfeited policy on the ground that the insurance company failed to comply with this section unless the action is instituted within 2 years from the due date upon which default was made in paying the premium, installment, or interest for which lapse or forfeiture is claimed.

(5) This section does not apply to:

(a) group or group-type policies;

(b) industrial life or industrial disability policies;

(c) policies upon which premiums are payable monthly or at more frequent intervals; or

(d) policies for which the premiums are billed to and payable through an employer.

Section 5. Extension of authority. Any existing authority of the commissioner of insurance to make rules on the subject of the provisions of this act is extended to the provisions of this act.

Section 6. Codification instruction. (1) Sections 1 and 2 are intended to be codified as an integral part of Title 33, chapter 20, part 1, and the provisions of Title 33, chapter 20, apply to sections 1 and 2.

(2) Sections 3 and 4 are intended to be codified as an integral part of Title 33, chapter 22, part 1, and the provisions of Title 33, chapter 22, apply to sections 3 and 4."

And, as amended, be concurred in. Report adopted.

HB 571, third reading copy, be amended as follows:

1. Title, lines 6 and 7.
Following: "COUNSELORS;" on line 6
Strike: "CREATING A STATE BOARD OF PROFESSIONAL COUNSELORS;"

2. Title, line 12.
Following: "~~SECTIONS~~"
Strike: "SECTION"

Insert: "SECTIONS 2-15-1854,"
Following: "~~33-30-101~~,"
Insert: "AND 37-22-102,"

3. Page 1, line 16 through page 2, line 14.
Strike: section 1 in its entirety
Renumber: subsequent sections

4. Page 2, line 18.
Following: "[sections"
Strike: "2"
Insert: "1"

5. Page 2, line 19.
Following: "through"
Strike: "14"
Insert: "13"

6. Page 2, line 21.
Following: "[Sections"
Strike: "2"
Insert: "1"
Following: "through"
Strike: "14"
Insert: "13"

7. Page 2, line 22.
Following: "[section"
Strike: "4"
Insert: "3"

8. Page 3, line 3.
Following: "[sections"
Strike: "2"
Insert: "1"
Following: "through"
Strike: "14"
Insert: "13"

9. Page 3, line 4.
Following: "board of"
Insert: "social work examiners and"

10. Page 3, line 5.
Following: "under"
Strike: "[section 1]"
Insert: "2-15-1854"

11. Page 3.
Following: line 6
Strike: "2"
Insert: "1"
Following: "through"
Strike: "14"
Insert: "13"

12. Page 4, line 13.
Following: "[sections"
Strike: "2"
Insert: "1"
Following: "through"
Strike: "14"

Insert: "13"

13. Page 4.
Following: line 15
Strike: "14"
Insert: "13"

14. Page 5, line 2.
Following: "counselors"
Insert: "which are based on national standards"

15. Page 5, line 4.
Following: "[sections"
Strike: "2"
Insert: "1"
Following: "through"
Strike: "14"
Insert: "13"

16. Page 5, line 16.
Following: "[sections"
Strike: "2"
Insert: "1"

17. Page 5, line 17.
Following: "through"
Strike: "14"
Insert: "13"

18. Page 7, line 7.
Following: "before"
Strike: "October 1"
Insert: "December 31"

19. Page 7, line 8.
Following: "[sections"
Strike: "2"
Insert: "1"
Following: "through"
Strike: "14"
Insert: "13"

20. Page 7, line 18.
Following: "board"
Strike: "or"
Insert: "based on"

21. Page 7, line 25.
Following: "after"
Strike: "October 1"
Insert: "December 31"

22. Page 8, line 14.
Following: "board"
Strike: "or"
Insert: "based on"

23. Page 9, line 10.
Following: "[section"
Strike: "6"
Insert: "5"

24. Page 9, lines 13 and 14.

Following: "and" on line 13
Strike: "expires 3 years after that date"
Insert: "must be renewed every year as provided in [section 9]"

25. Page 9, line 18.
Following: "[section"
Strike: "7"
Insert: "6"

26. Page 9, line 24.
Following: "license."
Insert: "(1) A license may be issued for no longer than 1 year. The board may adopt rules to provide for annual renewal of an existing license."
Renumber: subsequent subsections

27. Page 9, line 23.
Following: "[sections"
Strike: "2"
Insert: "1"
Following: "through"
Strike: "14"
Insert: "13"

28. Page 10, line 12.
Following: "[section"
Strike: "12"
Insert: "11"

29. Page 12, line 23.
Following: "[sections"
Strike: "2"
Insert: "1"

30. Page 12.
Following: line 23
Strike: "14"
Insert: "13"

31. Page 13, line 3.
Following: "[sections"
Strike: "2"
Insert: "1"
Following: "through"
Strike: "14"
Insert: "13"

32. Page 13, line 4.
Following: "[sections"
Strike: "2"
Insert: "1"
Following: "through"
Strike: "14"
Insert: "13"

33. Page 15, line 16.
Following: "to"
Strike: "initial"
Following: "board"
Insert: "of social work examiners and professional counselors"

34. Page 15, lines 17 and 18.

Following: "in" on line 17
Strike: "[section 1(2)(a) and (b)]"
Insert: "2-15-1854"

35. Page 15, line 18.
Following: "the"
Strike: "initial"

36. Page 15.
Following: line 21
Insert: "Section 17. Section 2-15-1854, MCA, is amended to read:

"2-15-1854. Board of social work examiners and professional counselors. ~~(1)~~ The governor shall appoint a board of social work examiners and professional counselors consisting of ~~five~~ seven members. (1) ~~Four~~ Three members must be licensed social workers, and~~:~~ three must be licensed professional counselors.

~~(a) one member must be in the private practice of social work;~~

~~(b) one member must be employed by a state social service agency;~~

~~(c) one member must be in the medical or social welfare field; and~~

~~(d) one member must be an educator in the field of social work.~~

(2) One member must be appointed from and represent the general public and may not be engaged in social work.

(3) The board is allocated to the department for administrative purposes only as prescribed in 2-15-121.

(4) The board is designated a quasi-judicial board. Members are appointed, serve, and are subject to removal in accordance with 2-15-124."

Section 18. Section 37-22-102, MCA, is amended to read:

"37-22-102. Definitions. As used in this chapter:

(1) "Board" means the board of social work examiners and professional counselors established under 2-15-1854.

(2) "Department" means the department of commerce.

(3) "Licensee" means a person licensed under this chapter.

(4) "Psychotherapy" means the use of psychosocial methods within a professional relationship to assist a person to achieve a better psychosocial adaptation and to modify internal and external conditions that affect individuals, groups, or families in respect to behavior, emotions, and thinking concerning their interpersonal processes.

(5) "Social work" means the professional practice directed toward helping people achieve more adequate, satisfying, and productive social adjustments. The practice of social work involves special knowledge of social resources, human capabilities, and the roles that individual motivation and social influences play in determining behavior and involves the application of social work techniques, including:

(a) counseling and using psychotherapy with individuals, families, or groups;

(b) providing information and referral services;

(c) providing, arranging, or supervising the provision of social services;

(d) explaining and interpreting the psychosocial aspects in the situations of individuals, families, or groups;

(e) helping communities to organize to provide or improve social and health services; and

(f) research or teaching related to social work.""
Renumber: subsequent sections

37. Page 15, lines 22 through 25.
Strike: section 18 in its entirety
Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

HB 574, third reading copy, be amended as follows:

1. Page 1, line 24.
Following: "customer;"
Strike: "and"

2. Page 2, line 1.
Following: "customer"
Insert: "; and

(v) excludes errors incurred in the billing of long distance services by a telecommunications utility"

And, as amended, be concurred in. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stimatz, Chairman): 3/28/85
HB 65, third reading copy, be amended as follows:

1. Highways and Transportation Standing Committee Report of 3/12/85.
Strike: Amendment No. 1 in its entirety

2. Title, line 6.
Following: "A"
Insert: "WARNING FOR THE FIRST VIOLATION AND A"

3. Title.
Following: line 6
Insert: "SUBSEQUENT"

4. Page 2, lines 1 and 2.
Strike: line 1 through "PERSON" on line 2
Insert: "visible from front and rear at a distance of 200 feet"

5. Page 2, lines 3 and 4.
Following: "(b)" on line 3
Strike: remainder of line 3 through "to" on line 4
Insert: "On the first violation a warning only must be issued. The second and subsequent violations are punishable by"

And, as amended, be concurred in. Report adopted.

HB 332, be concurred in. Report adopted.
HB 491, be concurred in. Report adopted.
HB 492, be concurred in. Report adopted.
HB 531, be concurred in. Report adopted.
HB 710, third reading copy, be amended as follows:

1. Page 1, line 12.
Following: "person"
Strike: remainder of line 12 and line 13 through "years"

And, as amended, be concurred in. Report adopted.

HB 747, be concurred in. Report adopted.

JUDICIARY (Mazurek, Chairman): 3/27/85
HB 265, third reading copy, be amended as follows:

1. Statement of intent, page 3, line 9.
Following: "recreation."
Insert: "The commission shall prohibit all recreation on private impoundments that have been licensed for a private use."

2. Statement of intent, page 3.
Following: line 9
Insert: "The commission shall protect the safety of the public by prohibiting hunting within a specified distance of occupied dwellings."

3. Page 1, line 19.
Following: "water,"
Strike: "or a natural object IN OR OVER A WATER BODY"

4. Page 1, lines 23 and 24.
Following: "water" on line 23
Strike: remainder of line 23 through "stream" on line 24

5. Page 1, line 25.
Following: "waters"
Insert: ", other than lakes,"

6. Page 2, lines 7 and 8.
Strike: subsection (c) in its entirety
Renumber: subsequent subsections

7. Page 2, line 20.
Following: "waters"
Insert: ", except lakes"

8. Page 3.
Following: line 7
Insert: "(7) "Lake" means a body of water where the surface water is retained by either natural or artificial means and the natural flow of water is substantially impeded.

(8) "Occupied dwelling" means a building used for a human dwelling at least once a year."
Renumber: subsequent subsections

9. Page 3, line 13.
Following: "to"
Strike: "diminished"
Insert: "deprivation of the soil of substantially all"

10. Page 3, line 14.
Following: "vegetation"
Strike: "or lack of"
Insert: "and destruction of its"
Following: "agricultural"
Strike: "crop"
Insert: "vegetative"

11. Page 3, line 18.
Following: "swimming"
Insert: "(except within 100 yards of any occupied dwelling), hiking"

12. Page 3, lines 21 and 22.
Following: "paddle," on line 21
Strike: remainder of line 21 through "ACTIVITIES," on line 22

13. Page 4, lines 14 through 20.
Strike: subsection (9) in its entirety
Renumber: subsequent subsection

14. Page 5, line 2.
Following: "THROUGH"
Strike: "(4)"
Insert: "(5)"

15. Page 5, line 23.
Following: "other"
Insert: "private"

16. Page 6, line 2.
Following: "3;"
Strike: "OR"

17. Page 6, line 3.
Following: "HUNTING"
Strike: "."
Insert: "except by long bow or shotgun when specifically authorized by the commission;"

18. Page 6, lines 4 through 6.
Strike: lines 4 through 6 in their entirety
Renumber: subsequent subsections

19. Page 6.
Following: line 6
Strike: "(A)"
Insert: "(e)"
Following: "CAMPING"
Insert: "within sight of any occupied dwelling or within 500 yards of any occupied dwelling, whichever is less"

20. Page 6.
Following: line 7
Strike: "(B)"
Insert: "(f)"

21. Page 6, line 9.
Following: "A"
Strike: "PERMANENT"

22. Page 6, line 10.
Following: "MOORAGE;"
Strike: "OR"

23. Page 6.
Following: line 10
Strike: "(C)"
Insert: "(g)"

24. Page 6, line 12.
Following: "ACTIVITIES"

Strike: ".
Insert: "as defined in [section 1(10)]; or"

25. Page 6.
Following: line 12
Insert: "(h) use of a streambed as a right-of-way for any purpose when water is not flowing therein.

(3) The public has no right to make recreational use of Class II waters without the permission of the landowner."
Renumber: subsequent subsections

26. Page 7, line 18 through page 9, line 20.
Following: "(2)" on page 7, line 18
Strike: remainder of line 18 through line 20 on page 9 in their entirety
Insert: "Portage routes around existing barriers may only be acquired by:

(a) landowner permission;

(b) purchase; or

(c) eminent domain, as provided in Article II, section 29, of the Montana constitution.

(3) If a landowner places an artificial barrier across a water body after [the effective date of this act], he must provide portage."

27. Page 9.
Following: line 20
Strike: "(j)"
Insert: "(4)"

28. Page 9.
Following: line 23
Insert: "(5) Nothing contained in [this act] addresses the issue of natural barriers or portage around said barriers, and nothing contained in [this act] makes such portage lawful or unlawful."

29. Page 9, line 25.
Following: "landowner"
Strike: "and supervisor"

30. Page 10, line 6.
Following: "landowner"
Insert: ", his agent, or his tenant"

31. Page 10, line 8.
Following: "landowner"
Insert: ", his agent,"

32. Page 10, lines 12 through 18.
Strike: subsection (3) in its entirety

33. Page 11.
Following: line 15
Insert: "NEW SECTION. Section 7. Land title unaffected. The provisions of [this act] and the recreational uses permitted by [section 2] do not affect the title or ownership of the surface waters, the beds, and the banks of any navigable or nonnavigable waters or the portage routes within this state.

NEW SECTION. Section 8. Lakes. Nothing contained in [this act] addresses the recreational use of surface waters of lakes."
Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

HB 352, be concurred in. Report adopted.
HB 438, third reading copy, be amended as follows: 3/28/85

1. Page 3, line 1.
Following: "child."
Insert: "The department shall promulgate rules to assure no person not liable hereunder is affected if he files a joint return against which an offset is applied."

And, as amended, be concurred in. Report adopted.

HB 439, third reading copy, be amended as follows:

1. Page 3.
Following: line 5
Insert: "If the individual does not agree with the administrative decision, he is entitled to have a statement of dispute, as provided in 31-3-124, included in the information provided to the consumer reporting agency."

2. Page 3, line 11.
Following: "section."
Insert: "The department shall adopt guidelines which take into account the payment record of the individual, the availability of other remedies, and other considerations which it determines relevant for determining whether use of the procedures provided in [this act] would carry out the purpose of enforcing payment of child support or would be appropriate in the circumstances. If after application of the guidelines to the request for information the department determines the procedures provided in [this act] are not appropriate, it may deny the request."

And, as amended, be concurred in. Report adopted.

HB 440, third reading copy, be amended as follows:

1. Title, lines 11 and 12.
Following: "40-5-201" on line 11
Strike: remainder of line 11 through "40-5-203" on line 12
Insert: ", 40-5-202,"

2. Page 5, line 22.
Following: "to"
Insert: ": (a) the lesser of"

3. Page 5.
Following: line 23
Insert: "of the responsible parent or the amount of support contained in the court order;"
Following: "and"
Insert: "(b)"

4. Page 6, line 9 through page 7, line 10.
Strike: section 3 in its entirety
Renumber: subsequent sections

5. Page 8, line 14.

Following: "Section"
Strike: "5"
Insert: "4"

6. Page 8, line 16.
Following: "section"
Strike: "5"
Insert: "4"

And, as amended, be concurred in. Report adopted.

HB 441, third reading copy, be amended as follows:

1. Page 1, line 20.
Following: "Montana."
Insert: "If the administrative order has been entered by nonappearance or default on the part of the responsible parent, the court may reconsider the order on its merits."
Following: "order"
Insert: ", if approved,"

And, as amended, be concurred in. Report adopted.

HB 442, be concurred in. Report adopted.
HB 443, third reading copy, be amended as follows:

1. Page 2, line 3.
Following: "including"
Strike: "but not limited to"
Following: "earnings"
Strike: ","
Insert: "and"
Following: "wages"
Strike: ","
Insert: "."

2. Page 2.
Following: line 3
Strike: line 4 through line 7

3. Page 5, lines 7 through 10.
Following: "court." on line 7
Strike: remainder of line 7 through line 10

4. Page 11.
Following: line 14
Insert: "state"

And, as amended, be concurred in. Report adopted.

HB 444, third reading copy, be amended as follows:

1. Title, line 5.
Following: ""AN ACT"
Strike: "TO REQUIRE"
Insert: "PROVIDING FOR"

2. Page 1, line 15.
Following: "act]"
Strike: "must"
Insert: "may"

3. Page 1, line 16.
Following: "include a"

Insert: "warning"

4. Page 1, line 17.
Following: "income"
Strike: "is"
Insert: "may be"

5. Page 1, line 19.
Following: "436]."
Insert: "Failure to include a warning statement in a judgment or order does not preclude the use of withholding procedures."

And, as amended, be concurred in. Report adopted.

HB 445, third reading copy, be amended as follows:

1. Title, line 7.
Following: "OF"
Strike: "3"
Insert: "6"

2. Title, line 8.
Following: "COURT"
Strike: "SHALL"
Insert: "MAY"

3. Page 1, line 20.
Following: "of"
Strike: "3"
Insert: "6"
Following: "court"
Strike: "shall"
Insert: "may"

4. Page 2, line 1.
Following: "of"
Strike: "3"
Insert: "6"

5. Page 2.
Following: line 3
Strike: "shall"
Insert: "may"

6. Page 2.
Following: line 20
Insert: "(5) The department shall adopt guidelines which take into account the payment record of the obligated person, the availability of other remedies, and other considerations which it determines relevant for determining whether the procedure provided in this section would carry out the purpose of enforcing payments of child support or would be appropriate in the circumstances. If after application of the guidelines the department determines an application for an order requiring security is not appropriate, it may not request the order."

And, as amended, be concurred in. Report adopted.

HB 520, be concurred in. Report adopted.
HB 643, third reading copy, be amended as follows:

1. Page 1, lines 24 and 25.
Following: "assembly"
Insert: ", publicly owned building, park under its jurisdiction,"

Following: "school"
Strike: remainder of line 24 through "alarm" on line 25

2. Page 2, line 2.
Following: "minors."
Insert: "Nothing contained herein shall allow any government to prohibit the legitimate display of firearms at shows or other public occasions by collectors and others, nor shall anything contained herein prohibit the legitimate transportation of firearms through any jurisdiction, whether in airports or otherwise."

And, as amended, be concurred in. Report adopted.

HB 700, third reading copy, be amended as follows:

1. Title, line 6.
Following: "SECTIONS"
Insert: "46-12-202,"
Following: "46-12-204"
Insert: ","

2. Page 1.
Following: line 9
Insert: "Section 1. Section 46-12-202, MCA, is amended to read:

"46-12-202. Court to advise defendant of his rights and the charges. (1) The defendant shall be advised by the court as follows:

(a) of the nature of the crime charged against him;

(b) of the punishment as set forth by statute for the crime charged;

(c) if the defendant intends to enter into a plea bargain agreement:

(i) that under 46-12-204, the court is not bound by such agreements;

(ii) that under 46-12-204, if the court does not impose the sentence recommended by the prosecution pursuant to a plea agreement, the court is not required to allow the defendant to withdraw a plea of guilty;

(iii) that criminal sentencing is governed by Title 46, chapter 18; and

(iv) that the defendant and his counsel should carefully review Title 46, chapter 18, and consider the most severe sentence that can be imposed for a particular crime;

~~(c)~~(d) if the defendant appears for arraignment without counsel, of his right to counsel and of his right to assigned counsel if he is unable to employ counsel. If counsel is or has been waived by the defendant, the court shall ascertain if the waiver is or was voluntary before proceeding.

~~(d)~~(e) of the time prescribed by statute to enter a plea;

~~(e)~~(f) of his right to secure bail to release him from custody.

(2) The court, or the clerk or county attorney under its direction, must:

(a) deliver to the defendant a true copy of the indictment, information, or complaint, including the endorsements thereon and the list of witnesses when required;

(b) read the indictment, information, or complaint to the defendant unless the defendant or his counsel waives such reading; and

(c) ask him whether he pleads guilty or not guilty to the indictment, information, or complaint.""

Renumber: subsequent sections

3. Page 2, line 5.
Following: "defendant"
Insert: ": (i)"

4. Page 2, line 6.
Following: "(3) (a)"
Insert: "; (ii) of the punishment as set forth by statute for the crime charged;

(iii) that prior to entering a plea of guilty, the defendant and his counsel should have carefully reviewed Title 46, chapter 18, and considered the most severe sentence that can be imposed for a particular crime;"
Following: "and"
Insert: "(iv)"
Following: "that"
Strike: "he"
Insert: "the judge"

And, as amended, be concurred in. Report adopted.

HB 778, third reading copy, be amended as follows:

1. Page 2, line 18.
Following: "shall"
Strike: "determine a reasonable attorney fee and"

2. Page 2, line 21.
Following: "on"
Strike: "a"
Insert: "the attorney's"
Following: "fee"
Strike: remainder of line 21 through "fee" on line 22

And, as amended, be concurred in. Report adopted.

HB 793, third reading copy, be amended as follows:

1. Page 2, line 5.
Following: "arrest."
Insert: "A summons of a peace officer to a place of residence by a family or household member constitutes an exigent circumstance for making an arrest."

2. Page 2, line 13.
Following: "member"
Insert: ", including an adult person of the opposite sex residing with the defendant or who formerly resided with the defendant"
Following: "]"
Insert: "or"

3. Page 2, lines 15 through 17.
Following: "common" on line 15
Strike: remainder of line 15 through "relationship" on line 17

And, as amended, be concurred in. Report adopted.

HB 837, third reading copy, be amended as follows:

1. Page 1, line 19.
Following: "knowingly"
Strike: "disables,"
Following: "shoots"
Strike: ","

2. Page 1, line 22.
Following: "duty"
Strike: "or power of his office"
Insert: "in a reasonable and proper manner"

3. Page 2, line 1.
Following: "5"
Strike: "3 years"
Insert: "1 year"

And, as amended, be concurred in. Report adopted.

HB 911, third reading copy, be amended as follows:

1. Page 2, line 12.
Following: "with"
Strike: "a strip"
Insert: "not less than 50 square inches"

2. Page 2, line 13.
Following: "paint"
Strike: "at least 3 feet high"
Insert: ", except that when metal fenceposts are used, the entire post must be painted"

3. Page 2, line 16.
Following: "property"
Strike: "and at all points where any"
Insert: ", including both sides of a"

4. Page 2, line 17.
Following: "property"
Insert: "wherever the water body"

5. Page 3, line 14.
Following: "LAND."
Insert: "The department shall use public media, as well as its own publications, in attempting to educate and inform other recreational users of the provisions of this section."

And, as amended, be concurred in. Report adopted.

NATURAL RESOURCES (Eck, Chairman): 3/28/85

HB 711, third reading copy, be amended as follows:

1. Statement of intent, page 3, lines 11 and 12.
Following: "standards" on line 11
Strike: "no less stringent than the standards of"
Insert: "designated by"

2. Statement of intent, page 3.
Following: line 17
Insert: "(3) It is the intent of the legislature that standards in the model rule may not include standards that would adversely affect public health through the restriction of any cleaning agent necessary

for food and beverage processing or for health care services or facilities and may not include standards that would restrict the use of detergents or other phosphorus compounds necessary for agricultural operations or industrial processes."

3. Page 3, lines 20 and 21.
Following: "rule"
Strike: remainder of line 20 through "rule" on line 21

4. Page 4.
Following: line 7
Insert: "(2) An ordinance prohibiting the sale and distribution of certain phosphorus compounds used for cleaning purposes may only be adopted if the county has a natural lake, whether or not the lake is fitted with a dam, for which the department of health and environmental sciences or the governing body of the county has determined that eutrophication enhanced by human activity is occurring and that phosphorus is the limiting factor."
Renumber: subsequent subsections

5. Page 4, lines 9 and 10.
Following: "standards"
Strike: "no less stringent than the standards in"
Insert: "designated by"

6. Page 5, line 5.
Strike: "January 1"
Insert: "July 1"

And, as amended, be concurred in. Report adopted.

MOTIONS

Senator Blaylock moved that HB 18 be taken from second reading and that it be rereferred to the Committee on Education and Cultural Resources. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Gage, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Stephens, Stimatz, Story, Tveit, Van Valkenburg, Williams, Mr. President.
Total 38

Noes: Conover, Fuller, Goodover, Keating, Mazurek, Pinsoneault, Thayer, Towe, Yellowtail.
Total 9

Excused: None.
Total 0

Absent or not voting: Galt, Smith, Weeding.
Total 3

Senator Towe moved that HB 901 be taken from second reading on the 68th legislative day and that it be rereferred to the Committee on Taxation. Motion carried unanimously.

Senator Regan moved that HB 779 be taken from second reading on the 68th legislative day and that it be rereferred to the Committee on Finance and Claims. Motion carried unanimously.

Senator Van Valkenburg moved that the Senate adjourn until 9:00 a.m., March 29, 1985.

Motion carried.

Senate adjourned at 6:28 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

SIXTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
March 29, 1985

Senate Chambers
State Capitol

Senate convened at 9:00 a.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Pinsoneault, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 3/28/85
Examined by the sponsor (Towe) and found to be correct: SB 41.
Examined by the sponsor (Jacobson) and found to be correct: SB 103.
Examined by the sponsor (Fuller) and found to be correct: SB 159.
Examined by the sponsor (Yellowtail) and found to be correct: SB 197.
Examined by the sponsor (Mohar) and found to be correct: SB 209.
Examined by the sponsor (Eck) and found to be correct: SB 212.
Examined by the sponsor (Tveit) and found to be correct: SB 230.
Examined by the sponsor (Daniels) and found to be correct: SB 257.
Examined by the sponsor (Farrell) and found to be correct: SB 282.
Examined by the sponsor (Haffey) and found to be correct: SB 306.
Signed by the President at 4:00 p.m., 3/28/85: HB 254, HB 291, HB 292, HB 384, HB 549, HB 580, HB 587, HB 599, HB 606, HB 609, HB 629, HB 658, HB 662, HB 692, HB 702, HB 738, HB 769, HB 781, HB 784, HB 786.
Signed by the President at 5:00 p.m., 3/28/85: HB 136, HB 167, HB 177, HB 238, HB 359, HB 401, HB 421, HB 469, HB 476, HB 487, HB 505, HB 544, HB 557, HB 570, HB 573, HB 586, HB 623, HB 637, HB 655, HB 705, HB 713, HB 734, HB 782, HB 803, HB 809, HB 816, HJR 26, HJR 38.
Correctly enrolled: SB 41, SB 103, SB 159, SB 197, SB 209, SB 212, SB 230, SB 257, SB 282, SB 306. 3/29/85

Report adopted.

Adverse Committee Reports

HIGHWAYS AND TRANSPORTATION (Stimatz, Chairman): 3/28/85
HB 33, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Pinsoneault.
Total 1

Absent or not voting: Severson, Smith.
Total 2

JUDICIARY (Mazurek, Chairman): 3/28/85

HB 446, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Regan, Shaw, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Story.
Total 1

Excused: Pinsoneault.
Total 1

Absent or not voting: McCallum, Severson, Smith.
Total 3

HB 447, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Eck, Story.
Total 2

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

MOTIONS

Senator Van Valkenburg moved that the rules be temporarily suspended in order that all bills considered on second reading on the 70th legislative day advance to third reading that same day. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Shaw.
Total 1

Excused: Pinsoneault.
Total 1

Absent or not voting: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 10, House amendments, concurred in as follows:

Ayes: Bengtson, Christiaens, Crippen, Daniels, Eck, Fuller, Galt, Haffey, Hager, Halligan, Hammond, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Severson, Stephens, Thayer, Towe, Van Valkenburg, Weeding, Mr. President.
Total 29

Noes: Aklestad, Anderson, Blaylock, Boylan, Brown, Conover, Farrell, Gage, Goodover, Harding, Himsl, Hirsch, Regan, Shaw, Smith, Stimatz, Story, Tveit, Williams, Yellowtail.
Total 20

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

SB 11, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Severson, Stephens, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 38

Noes: Gage, Hammond, Harding, Himsl, Hirsch, McCallum, Regan, Shaw, Smith, Story, Tveit.
Total 11

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

SB 91, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

SB 99, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Regan, Severson, Shaw, Smith, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Boylan, Neuman.
Total 2

Excused: Pinsoneault.
Total 1

Absent or not voting: Stephens.
Total 1

SB 105, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

SB 184, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Daniels, Towe.
Total 2

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

SB 194, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch,

Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

SB 226, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

SB 296, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

SB 314, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 49

Noes: None.
Total 0

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

HB 95 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 46

Noes: Daniels, Neuman, Weeding.
Total 3

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

HB 187 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Boylan.
Total 1

Excused: Pinsoneault.
Total 1

Absent or not voting: Shaw.
Total 1

HB 214 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Williams, Mr. President.
Total 43

Noes: Daniels, Mohar, Neuman, Story, Weeding, Yellowtail.
Total 6

Excused: Pinsoneault.

Total 1

Absent or not voting: None.
Total 0

HB 228 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

HB 259 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

HB 396 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

HB 419 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Halligan, Mohar.
Total 2

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

HB 454 concurred in as follows:

Ayes: Bengtson, Brown, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Haffey, Hager, Himsl, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Regan, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 30

Noes: Aklestad, Anderson, Blaylock, Boylan, Christiaens, Farrell, Goodover, Halligan, Hammond, Harding, Hirsch, Keating, McCallum, Severson, Shaw, Smith, Stephens, Thayer, Tveit.
Total 19

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

HB 457 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

HB 460 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating,

Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Boylan, Daniels, Shaw, Smith.
Total 4

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

HB 516 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

HB 517 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Lynch, Stimatz.
Total 2

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

HB 594 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

HB 622 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Regan, Severson, Smith, Stephens, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 40

Noes: Boylan, Daniels, Haffey, Halligan, Mohar, Shaw, Stimatz, Story, Towe.
Total 9

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

HB 627 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

HB 665 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Pinsoneault.

Total 1

Absent or not voting: None.
Total 0

HB 714 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail.
Total 42

Noes: Christiaens, Haffey, Halligan, Lynch, Mohar, Van Valkenburg, Mr. President.
Total 7

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

HB 730 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Boylan, Shaw.
Total 2

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

HB 853 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Aklestad, Boylan, Crippen, Hammond, Keating, Shaw.
Total 6

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

HJR 32 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Regan.
Total 1

Excused: Pinsoneault.
Total 1

Absent or not voting: Lybeck.
Total 1

At the request of Senator Weeding, and without objection, Senator Weeding's vote on HB 396 be recorded as yes.

At the request of Senator Towe, and without objection, Senator Towe's vote on HB 419 be recorded as yes.

At the request of Senator Brown, and without objection, Senator Brown's vote on HB 622 be recorded as yes.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Neuman in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SJR 32 - That SJR 32 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

SJR 33 - That SJR 33 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Hammond.
Total 1

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

SJR 34 - That SJR 34 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

HB 342 - That HB 342 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

HB 354 - Senator Weeding moved that HB 354 be placed below HB 496. Motion carried unanimously.

HB 358 - Senator Van Valkenburg moved that consideration on HB 358 be passed. Motion carried unanimously.

HB 452 - Senator Manning moved that HB 452 be placed below HB 894. Motion carried unanimously.

HB 480 - That HB 480 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

HB 496 - That HB 496 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Shaw.
Total 1

Excused: Pinsoneault.
Total 1

Absent or not voting: None.
Total 0

Senator Pinsoneault present at this time.

HB 354 - That HB 354, third reading copy, be amended as follows:

1. Page 2.
Following: line 8
Insert: "Section 2. Saving clause. This act does not affect any judicial proceeding in which the judgment was rendered before the effective date of this act."
Renumber: subsequent section

Amendment failed as follows:

Ayes: Aklestad, Boylan, Farrell, Goodover, Hager, Halligan, Himsl, Jacobson, Kolstad, Lynch, Neuman, Severson, Smith, Stephens, Story, Thayer, Tveit, Van Valkenburg, Weeding.
Total 19

Noes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Haffey, Hammond, Harding, Hirsch, Keating, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Shaw, Stimatz, Towe, Williams, Yellowtail, Mr. President.
Total 30

Excused: None.
Total 0

Absent or not voting: Galt.
Total 1

That HB 354, third reading copy, be amended as follows:

1. Title, line 7.
Following: "AN"
Insert: "APPLICABILITY DATE AND AN"

2. Page 2.
Following: line 8
Insert: "NEW SECTION. Section 2. Applicability date. All licenses required before the effective date shall be unaffected by this act and this act shall not apply to any licensing procedures or judicial proceedings commenced before the effective date of this act."
Renumber: subsequent section

Amendment failed as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Farrell, Goodover, Hager, Jacobson, Lynch, Neuman, Severson, Stephens, Thayer, Weeding.
Total 14

Noes: Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Haffey, Halligan, Harding, Hirsch, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Shaw, Smith, Stimatz, Story, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 31

Excused: None.
Total 0

Absent or not voting: Galt, Hammond, Himsl, Keating, Kolstad.
Total 5

That HB 354 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 45

Noes: Goodover, Hager, Neuman, Thayer.
Total 4

Excused: None.
Total 0

Absent or not voting: Williams.
Total 1

HB 530 - That HB 530 be concurred in. Motion carried as follows:

Ayes: Bengtson, Blaylock, Brown, Crippen, Daniels, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Hammond, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, McCallum, Neuman, Pinsoneault, Regan, Severson, Smith, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Yellowtail, Mr. President.

Total 33

Noes: Aklestad, Boylan, Conover, Harding, Kolstad, Mohar, Shaw.
Total 7

Excused: None.
Total 0

Absent or not voting: Anderson, Christiaens, Eck, Gage, Halligan, Mazurek, Stephens, Story, Weeding, Williams.
Total 10

HB 551 - That HB 551 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 565 - That HB 565 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 634 - That HB 634 be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Boylan, Brown, Crippen, Daniels, Farrell, Galt, Goodover, Haffey, Hager, Hammond, Himsl, Keating, Kolstad, Lane, Manning, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Tveit.
Total 26

Noes: Aklestad, Blaylock, Christiaens, Conover, Eck, Fuller, Gage, Halligan, Hirsch, Jacobson, Lybeck, Lynch, Mazurek, Mohar, Neuman, Regan, Story, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 22

Excused: None.
Total 0

Absent or not voting: Harding, Weeding.
Total 2

HB 759 - At the request of Senator Keating, and without objection, HB 759 be moved above HB 717.

That HB 759 be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Boylan, Brown, Crippen, Daniels, Farrell, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit.
Total 28

Noes: Aklestad, Blaylock, Christiaens, Conover, Eck, Fuller, Gage, Halligan, Hirsch, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Regan, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 22

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 717 - That HB 717 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 760 - That HB 760 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Daniels.
Total 1

Excused: None.

Total 0

Absent or not voting: None.
Total 0

HB 859 - That HB 859 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 893 - That HB 893 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 894 - That HB 894 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 452 - That HB 452 be concurred in. Motion failed as follows:

Ayes: Blaylock, Brown, Eck, Jacobson, Lybeck, Manning, McCallum, Regan, Stimatz, Towe, Van Valkenburg, Yellowtail.
Total 12

Noes: Aklestad, Anderson, Bengtson, Boylan, Christiaens, Conover, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Keating, Kolstad, Lane, Lynch, Mazurek, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Story, Thayer, Tveit.
Total 31

Excused: None.
Total 0

Absent or not voting: Crippen, Hager, Hirsch, Stephens, Weeding, Williams, Mr. President.
Total 7

Senator Van Valkenburg moved that HB 452 be indefinitely postponed. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lynch, Mazurek, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Story, Thayer, Tveit, Yellowtail.
Total 32

Noes: Blaylock, Christiaens, Haffey, Lybeck, Manning, Mohar, Stimatz, Towe, Van Valkenburg.
Total 9

Excused: None.
Total 0

Absent or not voting: Brown, Crippen, Hager, Hirsch, McCallum, Stephens, Weeding, Williams, Mr. President.
Total 9

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Neuman moved the adoption of the committee report. Report adopted.

Senator Van Valkenburg moved that the Senate recess, until 1:45 p.m. Motion carried unanimously.

Senate recessed at 12:02 p.m.

Senate reconvened at 2:06 p.m.

REPORTS OF STANDING COMMITTEES

BUSINESS AND INDUSTRY (Halligan, Chairman): 3/29/85
HB 420, third reading copy, be amended as follows:

1. Title, line 10.
Following: "MCA"
Strike: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 3, line 20.
Following: "EXCEED"
Strike: "$1,000"

Insert: "$250"

3. Page 4, lines 3 and 4.
Strike: section 2 in its entirety

And, as amended, be concurred in. Report adopted.

HB 858, be concurred in. Report adopted.

LOCAL GOVERNMENT (Fuller, Chairman):
HB 683, be concurred in. Report adopted. 3/28/85
HB 687, be concurred in. Report adopted.
HB 673, third reading copy, be amended as follows: 3/29/85

1. Title, lines 8 and 9.
Following: "SUIT;" on line 8
Strike: remainder of line 8 through "ADMINISTRATOR;" on line 9

2. Page 1, lines 18 and 19.
Following: "~~electors~~" on line 18
Strike: remainder of line 18 through "WORKING" on line 19
Insert: "The governing body may direct that a suit be brought in district court by the local government to determine whether the proposed action would be valid and constitutional, but such a suit must be initiated within 14"

3. Page 1, lines 20 through 24.
Following: "7-5-134" on line 20
Strike: remainder of line 20 through "constitutional" on line 24

4. Page 2, line 6.
Following: "defendant the"
Strike: remainder of line 6

5. Page 2, lines 8 and 9.
Following: "7-5-134" on line 8
Strike: remainder of line 8 through "APPLICATION" on line 9

6. Page 2, line 15.
Following: "AS TO WHETHER"
Strike: remainder of line 15

7. Page 2.
Following: line 16
Insert: "(4) If the defendant prevails, he is entitled to be reimbursed by the local government for costs and reasonable attorney's fees incurred."
Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

HB 791, third reading copy, be amended as follows:

1. Page 6, line 10.
Following: "(2)"
Insert: "(a)"

2. Page 6, line 12.
Following: "shall"
Strike: "approve, conditionally approve, or disapprove"
Insert: "review"

3. Page 6, line 14.
Following: "for"

Strike: "approval"
Insert: "review"

4. Page 6, line 15.
Following: "review"
Strike: "and approval"

5. Page 6, line 17.
Following: "provided."
Insert: "The review shall provide either:

(i) that the access and easements are suitable for the purposes of providing appropriate services to the land; or

(ii) that the access and easements are not suitable for the purposes of providing appropriate services to the land, in which case the county, the school district or districts, and other authorities and districts in which the land is located will not provide services that involve use of the unsuitable access and easements. Such services include:

(A) fire protection;

(B) school busing;

(C) ambulance;

(D) snow removal; and

(E) similar services as determined by the governing body.

(b) The governing body shall deliver a copy of the determination of the review to the county clerk and recorder to be reflected on the certificate of survey or deed of conveyance of the land that was subject to review.

(c) The governing body may, upon application by a landowner, redetermine the suitability of access and easements. If the governing body determines that there has been a material change regarding access or easements and the change provides for suitable access and easements for services, it may determine that such land is now suitable as provided in subsection (2)(a)(i) and shall deliver a copy of such determination to the county clerk and recorder to be reflected on the certificate of survey or deed of conveyance.

(d)"

And, as amended, be concurred in. Report adopted.

HB 813, be concurred in. Report adopted.
HB 818, be concurred in. Report adopted.
HB 885, third reading copy, be amended as follows:

1. Page 12, lines 19 through 23.
Strike: subsection (e) in its entirety

2. Page 15, lines 17 and 18.
Following: "published" on line 17
Strike: remainder of line 17 through "made" on line 18
Insert: "as provided in [Senate Bill No. 130, section 1]"

3. Page 16, line 4.
Following: "5"
Strike: "10"

Insert: "5"

4. Page 16.
Following: line 4
Insert: "second"
Following: "publication"
Strike: "and"
Insert: "or less than 10 days after the"

5. Page 24, line 17.
Following: "~~expired~~"
Insert: "after one-third of the term for which they were issued has expired"

6. Page 30, line 19.
Following: "(a)"
Strike: "one-half"
Insert: "one-third"

7. Page 48, line 21, through page 49, line 2.
Strike: section 42 in its entirety
Renumber: subsequent sections

8. Page 61, line 7.
Following: "~~expired~~"
Insert: "after one-third of the term for which they were issued has expired"

9. Page 66, line 9.
Following: "(a)"
Strike: "one-half"
Insert: "one-third"

And, as amended, be concurred in. Report adopted.

NATURAL RESOURCES (Eck, Chairman): 3/29/85
HB 670, be concurred in. Report adopted.
HB 750, be concurred in. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman): 3/28/85
HB 472, be concurred in. Report adopted.
HB 766, third reading copy, be amended as follows:

1. Page 2, line 3.
Following: "health"
Strike: ", public welfare, or the environment"

2. Page 2, lines 4 through 8.
Following: "is" on line 4
Strike: remainder of line 4 through "75-2-103" on line 8
Insert: "either a petroleum product or listed as a hazardous substance under 40 CFR part 302.4 pursuant to the federal Comprehensive Environmental Response, Compensation, and Liability Act"

3. Page 2, line 16.
Following: "environment"
Insert: ", the use of pesticides as defined in 80-8-102(30) when they are applied in accordance with approved federal and state labels, and the use of commercial fertilizers as defined in 80-10-101(2) when applied as part of accepted agricultural practice"

4. Page 6, line 16.

Following: "subsection"
Strike: "(3)"
Insert: "(4)"

And, as amended, be concurred in. Report adopted.

Adverse Committee Reports

HIGHWAYS AND TRANSPORTATION (Stimatz, Chairman): 3/29/85
HB 383, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Keating, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 41

Noes: Hammond, Jacobson, Kolstad, Lynch, Smith, Towe, Tveit.
Total 7

Excused: None.
Total 0

Absent or not voting: Daniels, McCallum.
Total 2

LOCAL GOVERNMENT (Fuller, Chairman): 3/29/85
HB 736, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Eck, Lybeck, Manning.
Total 3

Excused: None.
Total 0

Absent or not voting: Daniels, Goodover.
Total 2

HB 883, third reading copy, be amended as follows:

1. Page 1, line 17.
Following: "money"
Strike: remainder of line 17

And, as amended, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story,

Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Eck, Halligan, Mohar.
Total 3

Excused: None.
Total 0

Absent or not voting: Daniels.
Total 1

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bills concurred in as amended and returned to the Senate for concurrence in House amendments: 3/28/85

SB 28, introduced by Eck

SB 392, introduced by Daniels

SB 406, introduced by Lynch, C. Smith

SB 411, introduced by Towe, et al.

Senate bill not concurred in and returned to the Senate: 3/28/85

SB 328, introduced by B. Brown, Daniels

House bills passed and transmitted to the Senate for concurrence: 3/28/85

HB 203, introduced by Bardanouve

HB 513, introduced by Ellison, et al.

HB 701, introduced by Fritz, et al.

MOTIONS

Senator Weeding moved that the Senate reconsider its action in passing HB 354 on second reading this legislative day. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Bengtson, Daniels, Pinsoneault.
Total 3

Senator Weeding moved that HB 354 be taken from engrossing and that it be placed on second reading this legislative day. Motion carried unanimously.

Senator Christiaens moved that the Senate reconsider its action in adopting the adverse committee report on HB 783 and that it be printed

and placed on second reading on the 69th legislative day. Motion failed as follows:

Ayes: Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 24

Noes: Aklestad, Anderson, Bengtson, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Mr. President.
Total 26

Paired: Daniels, Aye; Stephens, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Daniels excused at this time.

Senator Jacobson moved that HB 798 be returned from the House and that HB 798 be placed on second reading on the 69th legislative day. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Haffey, Halligan, Harding, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 32

Noes: Aklestad, Boylan, Brown, Goodover, Hager, Hammond, Himsl, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 17

Excused: Daniels.
Total 1

Absent or not voting: None.
Total 0

FIRST READING OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 224, introduced by Asay, Goodover, Quilici, Harp, D. Brown, Menahan, C. Smith, Jones. Referred to Select Committee on Long Range Planning.

HB 897, introduced by Winslow, (By Request of the House Appropriations Committee). Referred to Committee on Finance and Claims.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Neuman in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 900 - That HB 900 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Daniels.
Total 1

Absent or not voting: None.
Total 0

HB 912 - That HB 912 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Daniels.
Total 1

Absent or not voting: None.
Total 0

HJR 22 - That HJR 22 be concurred in. Motion carried as follows:

Ayes: Anderson, Blaylock, Brown, Christiaens, Conover, Eck, Farrell, Fuller, Halligan, Himsl, Hirsch, Jacobson, Lane, Lybeck, Manning, Mazurek, Neuman, Regan, Severson, Towe, Van Valkenburg, Weeding.
Total 22

Noes: Aklestad, Bengtson, Crippen, Gage, Goodover, Harding, Keating, McCallum, Pinsoneault, Shaw, Smith, Stephens, Story, Thayer.
Total 14

Excused: Daniels.
Total 1

Absent or not voting: Boylan, Galt, Haffey, Hager, Hammond, Kolstad, Lynch, Mohar, Stimatz, Tveit, Williams, Yellowtail, Mr. President.
Total 13

SJR 35 - That SJR 35 do pass. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Haffey, Hager, Halligan, Hammond, Himsl,

Jacobson, Lane, Lybeck, Manning, Mazurek, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Williams, Mr. President.
Total 33

Noes: Boylan, Gage, Goodover, Keating, Shaw, Weeding.
Total 6

Excused: Daniels.
Total 1

Absent or not voting: Aklestad, Galt, Harding, Hirsch, Kolstad, Lynch, McCallum, Mohar, Story, Yellowtail.
Total 10

HB 101 - That HB 101 be concurred in. Motion carried as follows:

Ayes: Aklestad, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Goodover, Haffey, Halligan, Himsl, Jacobson, Keating, Lane, Lybeck, Manning, Mazurek, Pinsoneault, Regan, Severson, Stephens, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Williams, Mr. President.
Total 31

Noes: Boylan, Gage, Hammond, Harding, Neuman, Smith, Tveit.
Total 7

Excused: Daniels.
Total 1

Absent or not voting: Anderson, Galt, Hager, Hirsch, Kolstad, Lynch, McCallum, Mohar, Shaw, Story, Yellowtail.
Total 11

HB 121 - That HB 121 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Daniels.
Total 1

Absent or not voting: None.
Total 0

HB 160 - That HB 160 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Daniels.
Total 1

Absent or not voting: None.
Total 0

HB 282 - That HB 282 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Conover, Crippen, Eck, Farrell, Fuller, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Jacobson, Kolstad, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Severson, Smith, Stephens, Stimatz, Story, Thayer, Van Valkenburg, Weeding, Williams, Mr. President.
Total 35

Noes: Christiaens, Gage, Keating, Regan, Shaw, Towe, Yellowtail.
Total 7

Excused: Daniels.
Total 1

Absent or not voting: Boylan, Galt, Halligan, Hirsch, Lynch, McCallum, Tveit.
Total 7

HB 315 - That HB 315 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Daniels.
Total 1

Absent or not voting: None.
Total 0

HB 338 - That HB 338 be concurred in. Motion carried as follows:

Ayes: Anderson, Blaylock, Brown, Conover, Crippen, Eck, Fuller, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, Pinsoneault, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 32

Noes: Aklestad, Bengtson, Christiaens, Gage, Goodover, Himsl, McCallum, Mohar, Neuman, Regan, Smith, Towe, Tveit.
Total 13

Excused: Daniels.
Total 1

Absent or not voting: Boylan, Farrell, Galt, Lynch.

Total 4

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Neuman moved the adoption of the committee report. Report adopted.

Senator Van Valkenburg moved that the Senate recess until 4:20 p.m. Motion carried unanimously.

Senate recessed at 4:01 p.m.

Senate reconvened at 4:25 p.m.

REPORTS OF STANDING COMMITTEES

Senator Daniels present at this time.

EDUCATION AND CULTURAL RESOURCES (Blaylock, Chairman):
3/29/85

HB 18, be concurred in. Report adopted.
HB 497, third reading copy, be amended as follows:

1. Page 2, line 25 through page 3, line 5.
Following: "RESIDES" on line 25
Strike: remainder of line 25 through line 5, page 3
Insert: "in a county different than the county wherein the school he wishes to attend is located;"

And, as amended, be concurred in. Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Mazurek in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 611 - At the request of the Chairman, and without objection, HB 611 be placed below HB 921.

HB 616 - At the request of the Chairman, and without objection, HB 616 be placed below HB 611.

HB 721 - At the request of the Chairman, and without objection, HB 721 be placed below HB 616.

Senator Neuman in the Chair.

HB 763 - That HB 763 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams.
Total 43

Noes: Neuman, Regan, Severson, Weeding, Yellowtail.
Total 5

Excused: None.

Total 0

Absent or not voting: Hirsch, Mr. President.
Total 2

HB 764 - That HB 764 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 770 - That HB 770 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 884 - That HB 884 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 921 - That HB 921 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Brown, Christiaens, Conover, Daniels, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 40

Noes: Eck, Regan, Story.
Total 3

Excused: None.
Total 0

Absent or not voting: Bengtson, Boylan, Crippen, Goodover, Lane, Severson, Shaw.
Total 7

HB 611 - That HB 611, third reading copy, be amended as follows:

1. Title, line 7.
Following: "WOLVES,"
Insert: "TIGERS,"

2. Page 1, line 15.
Following: "wolves,"
Insert: "tigers,"

3. Page 1.
Following: line 16
Insert: "tiger,"

4. Page 2, line 9.
Following: "wolf,"
Insert: "tiger,"

5. Page 3, line 2.
Following: "wolf,"
Insert: "tiger,"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 611, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 616 - That HB 616, Senate Taxation Committee Report of 3/24/85, be amended as follows:

1. Amendment No. 4.
Section 7, line 3 of subsection (3).
Following: "property"
Insert: ", determined by taxable valuation,"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 616, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 721 - That HB 721 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 23 - That HJR 23 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 36 - That HJR 36 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 354 - That HB 354, third reading copy, be amended as follows:

1. Title.
Following: line 5
Insert: "AMENDING SECTIONS 67-3-101 AND 67-3-104, MCA;"

2. Page 2.
Following: line 8
Insert: "Section 2. Section 67-3-101, MCA, is amended to read:

"67-3-101. Regulation and licensing — general provisions. In order to promote the general public interest and safety and to carry out the purposes of this title, the department may:

(1) require the annual registration of federal licenses, permits, or certificates of civil aircraft engaged in air navigation within this state, of airmen engaged in aeronautics within this state, and of aeronautics instructors giving instruction in flying subjects and may issue certificates of registration. The certificates of registration constitute licenses of the aircraft, airmen, and instructors for operations within this state to the extent permitted by the federal licenses, certificates, or permits so registered. The department may charge a fee for the registration of each federal license, certificate, or permit not exceeding $1. It may accept as evidence of the holding of a federal license, certificate, or permit the verified application of the owner of the aircraft, the airman, or the instructor. The application shall contain information which the department may by rule or order prescribe.

(2) register aircraft repair shops, aircraft, aircraft parts and sales dealers, and other persons operating in aviation and license aircraft repair shops, aircraft, aircraft parts and dealers, and other persons operating in aviation, air schools, and aeronautics instructors giving instruction in ground subjects, in accordance with rules to be adopted by the department, and may annually renew these licenses. It may charge for the original licensing of aircraft repair shops, aircraft, aircraft parts and sales dealers, and other persons operating in aviation, air schools, and aeronautics instructors not more than $1 and for the renewal of a license not more than $1.

~~(3) approve airport and restricted landing area sites and license airports, restricted landing areas, or other air navigation facilities, in accordance with rules adopted by the department, and may annually renew these licenses. Licenses granted under this section or under any prior law shall be annually renewed upon payment of the fee. The department may not charge for approving certificates of proposed property acquisition for airport or restricted landing area purposes. It may charge for the issuance and annual renewal of each license for an airport or restricted landing area not to exceed $1.~~

~~(4)~~(3) upon notification by the civil aeronautics authority that it has revoked the license or certificate of an aircraft, airman, air school, or aeronautics instructor, temporarily or permanently revoke the license or certificate of registration issued for that aircraft, airman, air school, or aeronautics instructor, giving reasons for the action."

Section 3. Section 67-3-104, MCA, is amended to read:

"67-3-104. Department orders. (1) The department shall set forth its reasons for its action and shall state the requirements to be met before approval will be given, registration permitted, license granted, or order modified or changed before it:

~~(a) refuses to issue a certificate of approval, issue a license, or renew a license for an airport, restricted landing area, or other air navigation facility;~~

~~(b)~~(a) refuses to permit the registration of a license, certificate, or permit;

~~(c)~~(b) refuses to grant a license to an air school or to an aeronautics instructor in ground subjects; or

~~(d)~~(c) issues an order requiring certain things to be done or revoking a license or certificate.

(2) An order made by the department under this title shall be served upon the interested persons by registered or certified mail or in person.

(3) (a) A person aggrieved by an order of the department or by the granting or denial of a license, certificate, or registration may, within 10 days after receiving notice of the department's order or action, appeal from the order or action to the district court of the county in which the person resides or the county in which any property affected by the order or action is located.

(b) The appellant shall file with the clerk of the district court to which the appeal is taken a notice of appeal which shall state the substance of the order or action appealed from, the date of the order or action, and that the person appeals to the court from it.

(c) The appellant shall serve a copy of the notice of appeal upon the department. The order of filing and service is immaterial.

(d) The appeal shall be heard not less than 10 days or more than 30 days after the filing of the notice of appeal unless the judge, for sufficient cause resulting from press of business or other reason, is unable to hear the appeal within that time. In that event, the hearing may be deferred until it can be heard by the court. The appeal may be heard without formal pleadings.""

Renumber: subsequent section

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 354, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Bengtson, Blaylock, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail.
Total 37

Noes: Boylan, Goodover, Hager, Thayer, Mr. President.
Total 5

Excused: None.
Total 0

Absent or not voting: Anderson, Brown, Galt, Hirsch, Neuman, Severson, Story, Williams.
Total 8

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Neuman moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

NATURAL RESOURCES (Eck, Chairman): 3/29/85

HB 913, third reading copy, be amended as follows:

1. Statement of intent, pages 1 and 2.
Strike: pages 1 and 2 in their entirety
Insert: "It is the intent of the legislature that the department of natural resources and conservation adopt rules necessary for the administration of the Montana mineral legacy program. Rules must specify application contents, evaluation criteria, financial arrangements, and reporting requirements for grants under the Montana mineral legacy program.

It is the intent of the legislature that the department evaluate applications under only one grant program and that the department have the authority to determine under which program a specific application must be evaluated. To accomplish this goal, rules must be adopted under this act to define whether a grant application will be evaluated under the Montana mineral legacy program or another department program.

The legislature intends that projects or activities in the following areas be given preferential consideration for funding under the Montana mineral legacy program for the 1985-87 biennium:

(1) projects or activities that collect, organize, and retrieve natural resource data;

(2) projects or activities consistent with the policy and purpose of the Montana mineral legacy program that are recommended by standing or interim legislative committees; and

(3) projects or activities that promote effective hazardous waste management.

Preferential consideration means that, if a project in one of these categories is ranked nearly as high as a project outside these categories, that project must be given priority despite its inferior ranking.

The legislature further recognizes that effective hazardous waste management is of immediate and utmost importance to the citizens of the state of Montana. Therefore, it is the legislature's intent that projects or activities that promote a comprehensive statewide hazardous waste management program receive a high level of funding during the 1985-87 biennium.

Finally, it is the intent of the legislature that future legislatures provide guidance to the department of natural resources and conservation concerning the evaluation of applications under the Montana mineral legacy program. This guidance is to be given by the attachment of directives regarding preferred program areas for the evaluation process 2 years in advance in the appropriations for project funding for the upcoming biennium."

2. Title, lines 6 through 9.
Following: "PROGRAM;" on line 6
Strike: remainder of line 6 through line 9

3. Title, line 11.
Following: "FROM"
Strike: "THE COAL SEVERANCE TAX AND"

4. Title, line 14.
Following: "15-35-108,"
Strike: "15-38-202,"
Following: "76-14-112,"
Strike: "85-1-601,"
Insert: "AND"

5. Title, lines 15 and 16.
Following: "85-1-603" on line 15
Insert: ","
Strike: "THROUGH 85-1-606, 85-1-608, 85-1-621, 90-2-101 THROUGH 90-2-103, 90-2-113, AND 90-2-124,"

6. Title, line 17.
Following: "SECTIONS"
Strike: "85-1-611, 85-1-612, 85-1-622,"
Insert: "90-2-101 THROUGH"

7. Title, line 18.
Strike: "90-2-112,"
Insert: "90-2-113, AND"
Following: "90-2-121 THROUGH"
Strike: "90-2-123, AND 90-2-126"

8. Title.
Following: line 18
Strike: "THROUGH"

9. Pages 1 through 32.
Strike: everything following the enacting clause
Insert: "NEW SECTION. Section 1. Short title. [Sections 1 through 11] may be cited as the "Montana Mineral Legacy Act".

NEW SECTION. Section 2. Policy and purpose. It is the policy of this state to provide security against loss or damage to our environment from the extraction of nonrenewable resources. Recognizing that the total environment consists of our air, water, soil, flora, fauna, and also of those social, economic, and cultural conditions

that influence our communities and the lives of our individual citizens, it is necessary that this state be indemnified for the extraction of those resources. The Montana mineral legacy program established in [sections 1 through 11] is intended to benefit the people of Montana by promoting the wise development of our water, minerals, and renewable resources and by enhancing environmental quality through effective conservation, reclamation, and hazardous waste management projects. The Montana mineral legacy program is supported by taxes derived from the extraction of Montana's nonrenewable resources. As Montana's nonrenewable resource base becomes depleted, the Montana mineral legacy program will help ensure that future generations of Montanans continue to enjoy a healthy environment and a diversified economy.

NEW SECTION. Section 3. Definitions. As used in [sections 1 through 9], the following definitions apply:

(1) "Activity" means an action or program to repair, reclaim, or mitigate environmental damage from past or future resource extraction or to provide for the protection of Montana's renewable resources through sound conservation or restoration.

(2) "Board" means the board of natural resources and conservation provided for in 2-15-3302.

(3) "Department" means the department of natural resources and conservation provided for in Title 2, chapter 15, part 33.

(4) "Person" means any individual, association, partnership, corporation, or other similar entity.

(5) "Project" means any activity or series of activities directed toward a specific goal and meeting the objectives of the Montana mineral legacy program through planned and coordinated research; application of technology; environmental monitoring; environmental enhancement, remediation, or mitigation; policy analysis or intergovernmental coordination; feasibility study; design or construction of physical works; or any combination of these activities.

(6) "Public agency" means any department, board, agency, commission, or other subdivision of state or local government.

(7) "Public benefits" means those benefits which accrue to the citizens as a group and enhance the common well-being of the people of Montana.

NEW SECTION. Section 4. Operation of Montana mineral legacy program. (1) The Montana mineral legacy program is intended to accomplish its objectives by funding grants for projects or activities consistent with the policy and purpose provided in [section 2] and the eligibility criteria in [section 5].

(2) The department shall administer the Montana mineral legacy program as follows:

(a) The department shall publicly solicit grant and loan applications, consistent with subsection (1), for use of Montana mineral legacy program funds.

(b) Any public agency may submit an application to the department to obtain funds for a project meeting the objectives of the Montana mineral legacy program.

(c) The department may not accept an application for a grant under the Montana mineral legacy program if an application for the same project or activity has been filed under any other program of the department for funding during the same biennium. If an application for a part of the project or activity has been filed under another program of the department, only that part for which the Montana mineral legacy program would be the sole possible funding source may be accepted for consideration under the Montana mineral legacy program. An application filed under another program of the department subsequent to a grant awarded under the Montana mineral legacy program may not be considered under that program for the duration of the biennium.

(d) The department shall forward for technical review a copy of each completed application to the state agency or agencies normally having program responsibility for the type of project proposed in the application. Each state agency in receipt of such applications shall submit to the department a brief written evaluation of each application.

(e) The department shall solicit and consider in its evaluation of proposed projects the views of interested and affected departments, boards, agencies, commissions, and other subdivisions of state or local governments or the federal government and of interested and affected persons.

(f) The department shall evaluate each completed application for Montana mineral legacy funds, based on the criteria, objectives, and preferences established under [section 11] and by rules adopted under [section 5].

(g) The department shall present its recommendations to the governor, who shall submit to the legislature by the 20th day of any regular legislative session all projects determined eligible for grants under the Montana mineral legacy program with his recommended priorities.

(h) The legislature may approve by appropriation or other appropriate means the grants it finds consistent with the policies and purposes of this program.

(i) The department shall monitor the use of grants and may require reports, audits, or other documentation from recipients.

(j) The department shall biennially prepare a report for the legislature describing the status of the Montana mineral legacy program. The report must describe ongoing projects and projects completed during the biennium. The report must also describe proposed projects for the coming biennium and may contain the recommendations made by the governor under subsection (2)(g).

NEW SECTION. Section 5. Eligibility requirements. To be eligible for funding under the Montana mineral legacy program, the proposed project or activity must provide benefits in one or more of the following categories:

(1) mined land reclamation;

(2) reclamation for past oil and gas extraction, exploration, or processing;

(3) reforestation of areas damaged by mining or smelting activities;

(4) recreational or natural areas in the vicinity of such areas lost or anticipated to be lost because of mineral extraction;

(5) mitigation of social and economic impacts of natural resource development not covered by other statutes;

(6) research demonstration and technical assistance that promotes the wise use of Montana's natural resources and makes processing more environmentally compatible;

(7) protection of the state's natural resources through sound conservation, weed control, and other restoration programs;

(8) research which assesses past or potential environmental damage resulting from natural resource development; and

(9) investigation and remediation of sites when hazardous and toxic wastes threaten the environment and when funding from liable parties or the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 is unavailable.

NEW SECTION. Section 6. Rulemaking. The department shall adopt rules:

(1) prescribing the form and content of applications;

(2) governing the evaluation of applications for grants;

(3) governing the terms and conditions for making grants;

(4) establishing reporting requirements for recipients of grants;

(5) defining how the department will make the determinations required under [section 4(2)(c)]; and

(6) specifying other procedures necessary for proper and efficient administration of the Montana mineral legacy program.

NEW SECTION. Section 7. Montana mineral legacy account. (1) There is created a Montana mineral legacy account within the state special revenue fund established in 17-2-102.

(2) There must be paid into the Montana mineral legacy account all money allocated from the resource indemnity trust interest account set forth in Title 15, chapter 38, with the exception of those allocations made in 15-38-202.

(3) The Montana mineral legacy account may receive money from any other source.

NEW SECTION. Section 8. Allocation of funds. Funds in the Montana mineral legacy account are allocated for the purposes of [sections 1 through 11] as follows:

(1) The governor shall request in his executive budget an amount determined as necessary for administration by the department of the Montana mineral legacy program. Administrative expenses include the salaries and expenses of personnel, equipment, office space, and other expenses incurred in the review of applications, negotiation of contracts, monitoring of projects, preparation of reports, and other functions necessary to administer the Montana mineral legacy program. The legislature may appropriate from the Montana mineral legacy account the funds it considers necessary to administer the Montana mineral legacy program.

(2) As provided in [section 9], an amount not to exceed $200,000 annually is allocated to the environmental contingency account.

(3) The remaining funds may be appropriated as grants to qualified projects or activities under the Montana mineral legacy program.

(4) Any fees collected by the department of health and environmental sciences from users of any facility funded under subsection (3) must be allocated to the department to pay operational costs of such facilities or, if the operational costs are adequately funded, to obtain matching funds under the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Fees collected in excess of these needs must be deposited in the Montana mineral legacy account.

NEW SECTION. Section 9. Environmental contingency account. (1) There is created an environmental contingency account within the state special revenue fund established in 17-2-102. The environmental contingency account is controlled by the office of the governor.

(2) Except as provided in subsection (5), at the beginning of each fiscal year $200,000 from the Montana mineral legacy account must be allocated to an environmental contingency account.

(3) Funds may be expended from the environmental contingency account upon the authorization of the governor to meet unanticipated public needs consistent with the following objectives:

(a) to support water development projects in communities that face an emergency or imminent need for such services or to prevent the physical failure of a water project;

(b) to preserve vegetation, water, soil, fish, wildlife, or other renewable resources from an imminent physical threat or during an emergency, not including:

(i) natural disasters adequately covered by other funding sources; or

(ii) fire;

(c) to respond to an emergency or imminent threat to persons, property, or the environment caused by mineral development; and

(d) to [fund the environmental quality protection fund provided for in section 2 of HB 766 or to] take [other] necessary actions, including the construction of facilities, to respond to actual or potential threats to persons, property, or the environment caused by hazardous wastes or other hazardous materials.

(4) Interest from funds in the environmental contingency account accrues to the Montana mineral legacy account.

(5) The environmental contingency account may receive no additional allocation for any fiscal year in which the balance in the account exceeds $1,000,000 at the beginning of that fiscal year.

(6) The governor shall submit to the legislature at the beginning of each regular session a complete financial report on the environmental contingency account, including a description of all expenditures made since the preceding report.

NEW SECTION. Section 10. Prohibition on benefits to officers or employees — penalty. (1) No member, officer, attorney, or other

employee of the department or of the board may, directly or indirectly, be the beneficiary of or receive any fee, commission, gift, or other consideration for or in connection with any transaction or business under the Montana mineral legacy program other than the salary, fee, or other compensation he may receive as such member, officer, attorney, or employee.

(2) Any person violating any provision of this section must upon conviction forfeit the consideration illegally received and be fined not more than $2,000 or imprisoned for not more than 2 years, or both.

NEW SECTION. Section 11. Evaluation of applications. (1) In evaluating applications and recommending to the recipients for grants under the Montana mineral legacy program, the department of natural resources and conservation shall:

(a) consider the need for each project and the extent and desirability of the public benefits from each proposed project;

(b) review the cost-effectiveness of the proposed project;

(c) promote previously funded projects which have demonstrated substantial progress and which have defined an attainable end; and

(d) support those projects which would become eligible for matching funds by virtue of funding through the Montana mineral legacy program; which can demonstrate existing funding support from federal, state, or local agencies or private parties, or which have the capability of becoming financially self-sustaining.

(2) The department may not recommend allocation of funds for projects that are adequately covered by other state or federal programs.

(3) The department may not allocate funds for any project that would relieve any person of any obligations or liabilities under federal or state law, including common law, with respect to reclamation of mined land or to releases of hazardous substances or other pollutants or contaminants.

(4) Each legislature may set broad program areas to receive preference for the next project evaluation process under the Montana mineral legacy program. These preferences may not specify program areas according to geographic criteria or target specific projects or activities for funding.

(5) In applying these evaluation criteria, reclamation projects and activities that directly relate to mitigation of resource extraction must be given preferential consideration.

Section 12. Section 15-35-108, MCA, is amended to read:

"15-35-108. Disposal of severance taxes. Severance taxes collected under the provisions of this chapter are allocated as follows:

(1) To the trust fund created by Article IX, section 5, of the Montana constitution, 25% of total collections a year. After December 31, 1979, 50% of coal severance tax collections are allocated to this trust fund. The trust fund moneys shall be deposited in the fund established under 17-6-203(5) and invested by the board of investments as provided by law.

(2) Starting July 1, 1986, and ending June 30, 1987, 6% of coal severance tax collections are allocated to the highway reconstruction

trust fund account in the state special revenue fund. Starting July 1, 1987, and ending June 30, 1993, 12% of coal severance tax collections are allocated to the highway reconstruction trust fund account in the state special revenue fund.

(3) Coal severance tax collections remaining after the allocations provided by subsections (1) and (2) are allocated in the following percentages of the remaining balance:

(a) to the county in which coal is mined, 2% of the severance tax paid on the coal mined in that county until January 1, 1980, for such purposes as the governing body of the county may determine;

(b) 2 ½% until December 31, 1979, and thereafter 4 ½% to the state special revenue fund to the credit of the alternative energy research development and demonstration account;

(c) 26 ½% until July 1, 1979, and thereafter 37 ½% to the state special revenue fund to the credit of the local impact and education trust fund account;

(d) for each of the 2 fiscal years following June 30, 1977, 13% to the state special revenue fund to the credit of the coal area highway improvement account;

(e) 10% to the state special revenue fund for state equalization aid to public schools of the state;

(f) 1% to the state special revenue fund to the credit of the county land planning account;

(g) 1 ¼% to the credit of the renewable resource development bond fund until July 1, 1987;

(h) 5% to a nonexpendable trust fund for the purpose of parks acquisition or management, protection of works of art in the state capitol, and other cultural and aesthetic projects. Income from this trust fund shall be appropriated as follows:

(i) ⅓ for protection of works of art in the state capitol and other cultural and aesthetic projects; and

(ii) ⅔ for the acquisition of sites and areas described in 23-1-102 and the operation and maintenance of sites so acquired;

(i) 1% to the state special revenue fund to the credit of the state library commission for the purposes of providing basic library services for the residents of all counties through library federations and for payment of the costs of participating in regional and national networking;

(j) ½ of 1% to the state special revenue fund for conservation districts;

(k) 1 ¼% ~~to the debt service fund type~~ until July 1, 1987; and 2.3125% thereafter until July 1, 1989; and thereafter 2.5% to the credit of the water development debt service fund;

(l) for the fiscal years following June 30, 1987, until July 1, 1989, 0.1875% to the rangeland improvement loan special revenue account;

~~(l)~~(m) all other revenues from severance taxes collected under the provisions of this chapter to the credit of the general fund of the state."

Section 13. Section 76-14-112, MCA, is amended to read:

"76-14-112. Rangeland improvement loan special revenue account. (1) There is created a rangeland improvement loan special revenue account within the state special revenue fund established in 17-2-102.

(2) There must be allocated to the rangeland improvement loan ~~earmarked~~ special revenue account ~~15% of the total amount of renewable resource development grants and loans as provided by 90-2-113,~~ 0.1875% of all money from time to time received from the coal severance tax collected under Title 15, chapter 35, and remaining after allocation of such tax to the trust fund established under Article IX, section 5, of the Constitution of the State of Montana for use under the rangeland loan improvement program through the biennium ending June 30, 1989; any principal and accrued interest received in repayment of a loan made under the rangeland improvement loan program, and any fees or charges collected by the department pursuant to 76-14-116 for the servicing of loans, including arrangements for obtaining security interests."

Section 14. Section 85-1-603, MCA, is amended to read:

"85-1-603. Water development debt service fund created — coal severance tax allocated. (1) There is created a water development debt service fund within the debt service fund type established in 17-2-102.

(2) The state pledges and allocates and directs to be credited to the water development debt service fund, as received, ~~1¼%~~ 2.3125% through the biennium ending June 30, 1989, and then 2.5% of all money from time to time received from the coal severance tax collected under Title 15, chapter 35, and remaining after allocation of such tax to the trust fund established under Article IX, section 5, of The Constitution of the State of Montana."

NEW SECTION. Section 15. Repealer. Sections 90-2-101 through 90-2-104, 90-2-107 through 90-2-113, and 90-2-121 through 90-2-128, MCA, are repealed.

NEW SECTION. Section 16. Saving clause. This act does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before the effective date of this act.

NEW SECTION. Section 17. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

NEW SECTION. Section 18. Effective date. This act is effective on passage and approval."

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

March 29, 1985

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 43, 44, 46, 50, 90, 92, 144, 151, 180, 225, 235, 253, 267, 290, 292, 298, 302, 339, 358, 359, 373, and 378 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable Bill Norman
President of the Senate
State Capitol
Helena, Montana 59620

March 29, 1985

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Vincent:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return Senate Bill 79 "AN ACT PROVIDING FOR THE LICENSURE AND REGULATION OF OCCUPATIONAL THERAPISTS AND OCCUPATIONAL THERAPY ASSISTANTS; CREATING A BOARD OF OCCUPATIONAL THERAPY PRACTICE; PROVIDING FOR THE AUTHORITY OF THE BOARD~~: AND PROVIDING AN IMMEDIATE EFFECTIVE DATE~~," without my signature and recommend the attached amendments to Sections 9 and 21 for the following reasons.

As introduced and passed, Section 9 prohibits a person from practicing occupational therapy or holding himself out as an occupational therapist unless he holds an occupational therapy license. Section 4, however, was amended in the Senate to allow a person to practice occupational therapy without a license as long as that person does not represent himself as an occupational therapist. My first amendment brings Section 9 into conformity with that Senate amendment by deleting from Section 9 the language prohibiting the practice of occupational therapy without a license. The prohibition against an unlicensed individual holding himself out as an occupational therapist is retained.

Although the bill provides for an occupational therapy assistant license, it does not prohibit a person from practicing as an occupational therapy assistant without a license. My second, third, and fourth amendments remedy this omission by inserting that prohibition.

Finally, Senate Bill 79 originally contained an immediate effective date. Although that provision was removed, Section 21, which requires the Governor to appoint the Board of Occupational Therapists within 60 days of passage and approval, was not changed to reflect the deletion of the immediate effective date. My fifth amendment requires appointment of the Board within 60 days of the effective date of the act.

I urge your concurrence in these amendments.

Governor's Proposed Amendments
to SB 79

1. Page 8.
Following: line 3
Strike: "practice occupational therapy or"

2. Page 8, line 3.
Following: "(1)"
Insert: "(a)"

3. Page 8, line 7.
Following: "licensed"
Insert: "as an occupational therapist"

4. Page 8.
Following: line 8
Insert: "(b) No person may practice or hold himself out as an occupational therapy assistant in this state unless he is licensed as an occupational therapist or as an occupational therapy assistant."

5. Page 14, line 9.
Following: "following"
Strike: "passage and approval"
Insert: "the effective date"

Sincerely,

Ted Schwinden
Governor

March 29, 1985

The Honorable Bill Norman
President of the Senate
State Capitol
Helena, Montana 59620

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Vincent:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return Senate Bill 93, "AN ACT ALLOWING LOCAL GOVERNMENTS TO ESTABLISH REQUIREMENTS FOR HANDICAPPED PERSONS' SPECIAL RESERVED PARKING SPACES; AMENDING SECTION 49-4-302, MCA," without my signature and recommend the attached amendment for the following reason.

As passed, Senate Bill No. 93 requires that a parking space reserved for handicapped persons be at least 13 feet wide if located at the end of a line of angle parking spaces. The sponsors of the bill have informed me that this parking space need not be 13 feet wide in order to provide adequate parking space for handicapped persons. The amendment I am proposing, at the request of the bill's sponsors, will change the width requirement of the end parking space from 13 to 8 feet. This amendment will increase the number of parking spaces available for non-handicapped persons while still assuring that the parking space located at the end accomodates the needs of handicapped persons.

I urge your concurrence in this amendment.

Governor's Proposed Amendments
to SB 93

1. Page 2, line 25.
Following: "8"

Strike: "13"
Insert: "8"

Sincerely,

Ted Schwinden
Governor

MOTIONS

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on House amendments to SB 416. Motion carried unanimously.

The President appointed the following members:

Senator Fuller, Chairman
Senator Mohar
Senator Thayer

Senator Hager moved that the Senate reconsider its action in passing HB 894 on second reading this legislative day. Motion carried unanimously.

Senator Hager moved that HB 894 be placed on second reading on the 69th legislative day. Motion carried unanimously.

FIRST READING OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SJR 36, introduced by E. Smith, Kolstad, Harding, H. Hammond, Ellerd, Regan, Jacobson, Lynch, Thomas, Schultz, Compton, Patterson, Brandewie, Thayer, Galt, McCallum, Tveit, Aklestad, Christiaens, Boylan, Devlin, Hanson, Stimatz, Sales, Haffey, Daniels, Blaylock, Conover, Eck, Bengtson, Towe, Nathe, Goodover, Hirsch, Halligan, Yellowtail, Mazurek, Weeding, Swift, Ernst, Jenkins, Switzer, Glaser, Thoft, Grady. Referred to Committee on Business and Industry.

The following House bills were introduced, read first time, and referred to committees:

HB 513, introduced by Ellison, Phillips, Patterson, Pavlovich, D. Brown, Raney. Referred to Committee on Finance and Claims.
HB 203, introduced by Bardanouve, (By Request of the Office of Budget and Program Planning). Referred to Committee on Finance and Claims.

Senator Van Valkenburg moved that the Senate adjourn until 8:30 a.m., March 30, 1985.

Motion carried.

Senate adjourned at 5:55 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

SIXTY-NINTH LEGISLATIVE DAY

Helena, Montana
March 30, 1985

Senate Chambers
State Capitol

Senate convened at 8:30 a.m., President Norman presiding. Invocation by Senator Keating. Pledge of Allegiance to the Flag.

Roll call. All members present except Williams, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the sixty-seventh legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman):

Examined by the sponsor (Pinsoneault) and found to be correct: SB 246. 3/28/85

Examined by the sponsor (Gage) and found to be correct: SB 96. 3/29/85

Examined by the sponsor (Harding) and found to be correct: SB 130.

Examined by the sponsor (Smith) and found to be correct: SB 155.

Examined by the sponsor (Towe) and found to be correct: SB 188.

Examined by the sponsor (Haffey) and found to be correct: SB 206.

Examined by the sponsor (Lybeck) and found to be correct: SB 239.

Examined by the sponsor (Smith) and found to be correct: SB 242.

Examined by the sponsor (Towe) and found to be correct: SB 251.

Examined by the sponsor (Van Valkenburg) and found to be correct: SB 259.

Examined by the sponsor (Boylan) and found to be correct: SB 278.

Examined by the sponsor (Crippen) and found to be correct: SB 294.

Examined by the sponsor (Fuller) and found to be correct: SB 307.

Examined by the sponsor (Brown) and found to be correct: SB 327.

Examined by the sponsor (Christiaens) and found to be correct: SB 333.

Examined by the sponsor (Haffey) and found to be correct: SB 341.

Examined by the sponsor (Williams) and found to be correct: SB 357.

Examined by the sponsor (Haffey) and found to be correct: SB 362.

Examined by the sponsor (Smith) and found to be correct: SB 363.

Examined by the sponsor (Shaw) and found to be correct: SB 384.

Examined by the sponsor (Lybeck) and found to be correct: SB 387.

Examined by the sponsor (Towe) and found to be correct: SB 414.

Examined by the sponsor (Van Valkenburg) and found to be correct: SB 422.

Examined by the sponsor (Fuller) and found to be correct: SB 454.

Examined by the sponsor (Severson) and found to be correct: SB 464.

Examined by the sponsor (Williams) and found to be correct: SJR 14.

Examined by the sponsor (Christiaens) and found to be correct: SJR 15.

Examined by the sponsor (Manning) and found to be correct: SJR 19.

Examined by the sponsor (Brown) and found to be correct: SJR 21.

Examined by the sponsor (Stimatz) and found to be correct: SJR 27.

Signed by the President at 3:00 p.m., 3/29/85: SB 41, SB 103, SB 159, SB 197, SB 209, SB 212, SB 230, SB 257, SB 282, SB 306.

Considered correctly engrossed: SJR 32, SJR 33, SJR 34, SJR 35. 3/30/85

Correctly enrolled: SB 96, SB 130, SB 155, SB 188, SB 206, SB 239, SB 242, SB 246, SB 251, SB 259, SB 278, SB 294, SB 307, SB 327, SB 333, SB 341, SB 357, SB 362, SB 363, SB 384, SB 387, SB 414, SB 422, SB 454, SB 464, SJR 14, SJR 15, SJR 19, SJR 21, SJR 27.

Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 3/30/85

Recommend that at the close of business March 30, 1985, the following employment be terminated:

Connie Gage ..... Page
James Hodges ..... Page
Sheila Kelch ..... Page
Beth Ortner ..... Page
Mauricio Cysne ..... Page
Kris Smelser ..... Page
Camala Lane ..... Page
Marci Pelton ..... Page
Robin Lee ..... Page

Report adopted.

MOTIONS

Senator Blaylock moved that consideration on HB 18 be passed until the 70th legislative day. Motion carried unanimously.

Senator Van Valkenburg moved that HB 265, on second reading this legislative day, be placed at the bottom of the board. Motion carried unanimously.

Senator Regan moved that HB 676 be taken from third reading and that it be rereferred to the Committee on Finance and Claims. Motion carried unanimously.

Senator Regan moved that HB 766, on second reading this legislative day, be rereferred to the Committee on Finance and Claims. Motion carried unanimously.

Senator Hammond moved that the rules be temporarily suspended in order to allow for the introduction of a Senate Joint Resolution. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: Galt.
Total 1

Senator Towe moved that the Senate reconsider its action on House amendments to SB 10 on third reading on the 68th legislative day. Motion failed as follows:

Ayes: Bengtson, Christiaens, Crippen, Eck, Fuller, Gage, Haffey, Hager, Halligan, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mohar,

Neuman, Pinsoneault, Stephens, Towe, Van Valkenburg, Weeding, Yellowtail.
Total 23

Noes: Aklestad, Anderson, Blaylock, Boylan, Brown, Conover, Daniels, Farrell, Goodover, Hammond, Harding, Himsl, Hirsch, Keating, Mazurek, McCallum, Regan, Severson, Shaw, Smith, Stimatz, Story, Thayer, Tveit, Mr. President.
Total 25

Excused: Williams.
Total 1

Absent or not voting: Galt.
Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SJR 32 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 46

Noes: Boylan, Christiaens, Shaw.
Total 3

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

SJR 33 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Harding, Himsl, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 39

Noes: Aklestad, Goodover, Hager, Halligan, Hammond, Hirsch, Keating, Pinsoneault, Shaw, Story.
Total 10

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

SJR 34 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson,

Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 44

Noes: Hammond, Lynch, McCallum, Shaw, Story.
Total 5

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 284 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 342 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 48

Noes: Hirsch.
Total 1

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 363 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Mr. President.
Total 42

Noes: Daniels, Haffey, Halligan, Manning, Regan, Van Valkenburg, Yellowtail.
Total 7

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 423 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 480 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 496 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 519 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 530 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 46

Noes: Boylan, Mohar, Shaw.
Total 3

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 541 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 551 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 560 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 565 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 48

Noes: Keating.
Total 1

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 585 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 634 concurred in as follows:

Ayes: Anderson, Bengtson, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Haffey, Hager, Harding, Himsl, Keating, Kolstad, Lane, Lybeck, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Tveit.
Total 25

Noes: Aklestad, Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Halligan, Hammond, Hirsch, Jacobson, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Story, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 24

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 638 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 654 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.

Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 717 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 45

Noes: Jacobson, McCallum, Mohar, Regan.
Total 4

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 759 concurred in as follows:

Ayes: Anderson, Bengtson, Boylan, Brown, Crippen, Daniels, Farrell, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Keating, Kolstad, Lane, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit.
Total 28

Noes: Aklestad, Blaylock, Christiaens, Conover, Eck, Fuller, Halligan, Hirsch, Jacobson, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Regan, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 22

Paired: Crippen, Aye; Williams, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 760 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 48

Noes: Daniels.

Total 1

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 774 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 775 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 45

Noes: Fuller, Hirsch, Mazurek, Neuman.
Total 4

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 788 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 46

Noes: Aklestad, Daniels, Neuman.
Total 3

Excused: Williams.
Total 1

Absent or not voting: None.

Total 0

HB 796 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 859 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 871 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 875 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 891 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 893 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 896 concurred in as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Kolstad, Lane, Lybeck,

Lynch, Manning, McCallum, Neuman, Regan, Severson, Shaw, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Mr. President.
Total 39

Noes: Bengtson, Brown, Himsl, Keating, Mazurek, Mohar, Pinsoneault, Smith, Story, Yellowtail.
Total 10

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HJR 25 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 48

Noes: Halligan.
Total 1

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HJR 28 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HJR 33 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 47

Noes: Goodover, Story.
Total 2

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HJR 35 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 47

Noes: Himsl, Severson.
Total 2

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HJR 40 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 45

Noes: Hirsch, Keating, Neuman, Story.
Total 4

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

At the request of Senator Halligan, and without objection, Senator Halligan's vote on HB 551 be recorded as yes.

At the request of Senator Bengtson, and without objection, Senator Bengtson's vote on HB 560 be recorded as yes.

At the request of Senator Eck, and without objection, Senator Eck's vote on HB 638 be recorded as yes.

At the request of Senator Story, and without objection, Senator Story's vote on HB 893 be recorded as yes.

At the request of Senator Conover, and without objection, Senator Conover's vote on HJR 35 be recorded as yes.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

BUSINESS AND INDUSTRY (Halligan, Chairman): 3/29/85

HB 183, third reading copy, be amended as follows:

1. Title, lines 5 through 8.
Following: "ENCLOSED" on line 5
Strike: remainder of line 5 through "NONCOMPLIANCE" on line 8
Insert: "WORK AREA MAINTAINED BY THE STATE OR A POLITICAL SUBDIVISION THEREOF"

2. Title, line 8.
Following: "AMENDING"
Strike: "SECTIONS"
Insert: "SECTION"
Following: "50-40-104"
Strike: "AND"

3. Title.
Following: line 8
Strike: "50-40-109"

4. Pages 1 and 2.
Strike: everything after the enacting clause
Insert: "NEW SECTION. Section 1. Reservation of smoking and nonsmoking areas in work areas in state and local government buildings. In offices and work areas in buildings maintained by the state or a political subdivision thereof in which seven or more employees of the state or political subdivision are employed, the manager or person in charge of the work area shall arrange nonsmoking and smoking areas in a convenient area.

Section 2. Section 50-40-104, MCA, is amended to read:

"50-40-104. Designation or reservation of smoking or nonsmoking areas — notice. (1) Except for those enclosed public places provided for in 50-40-105 and as provided in [section 1], the proprietor or manager of an enclosed public place shall:

(a) designate nonsmoking areas with easily readable signs; or

(b) reserve a part of the public place for nonsmokers and post easily readable signs designating a smoking area; or

(c) designate the entire area as a smoking area by posting a sign that is clearly visible to the public stating this designation.

(2) The proprietor or manager of an establishment containing enclosed public places shall post a sign in a conspicuous place at all public entrances to the establishment stating, in a manner that can be easily read and understood, whether or not areas within the establishment have been reserved for nonsmokers.

(3) The proprietor or manager of an establishment containing both a restaurant and a tavern, in which some patrons choose to eat their meals in the tavern, is not required by this part to post a sign described in subsection (2) in the tavern area of the establishment.""

And, as amended, be concurred in. Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Kolstad in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 65 - That HB 65, third reading copy, be amended as follows:

1. Page 1, line 20.
Following: "runner"
Strike: ","
Insert: "and"
Following: "jogger"
Strike: ", hiker, or other recreationist on foot"

Amendment failed as follows:

Ayes: Blaylock, Christiaens, Conover, Eck, Fuller, Hager, Hirsch, Jacobson, Lybeck, Mazurek, Mohar, Neuman, Regan, Stimatz, Towe, Tveit, Van Valkenburg, Weeding.
Total 18

Noes: Aklestad, Anderson, Bengtson, Boylan, Brown, Crippen, Daniels, Farrell, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Keating, Kolstad, Lane, Lynch, Manning, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Yellowtail.
Total 30

Excused: Williams.
Total 1

Absent or not voting: Mr. President.
Total 1

That HB 65 be concurred in. Motion failed as follows:

Ayes: Christiaens, Eck, Hirsch, Jacobson, Lybeck, Regan, Stimatz, Tveit, Weeding.
Total 9

Noes: Aklestad, Anderson, Bengtson, Boylan, Brown, Conover, Crippen, Daniels, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Van Valkenburg, Yellowtail.
Total 36

Excused: Williams.
Total 1

Absent or not voting: Blaylock, Farrell, Neuman, Mr. President.
Total 4

Senator Van Valkenburg moved that HB 65 be indefinitely postponed. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Van Valkenburg, Yellowtail.
Total 42

Noes: Hirsch, Lybeck, Tveit, Weeding.
Total 4

Excused: Williams.
Total 1

Absent or not voting: Farrell, Stimatz, Mr. President.
Total 3

HB 127 - That HB 127 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 185 - That HB 185 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Christiaens, Conover, Crippen, Daniels, Haffey, Halligan, Harding, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Neuman, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg.
Total 25

Noes: Brown, Eck, Gage, Galt, Goodover, Hammond, Himsl, Hirsch, Keating, Mohar, Pinsoneault, Regan, Severson, Shaw, Towe.
Total 15

Excused: Williams.
Total 1

Absent or not voting: Bengtson, Boylan, Farrell, Fuller, Hager, Mazurek, Weeding, Yellowtail, Mr. President.
Total 9

HB 235 - That HB 235, Senate Public Health, Welfare and Safety Committee Report of 3/27/85, be amended as follows:

Statement of Intent

1. Amendment No. 1.
Following: "Insert:"
Insert: (new paragraph) "The examination and qualification of monitoring assistants under section 2(3) should require a level of proficiency higher than that required for basic life support but need not encompass all the requirements for advanced cardiac life support certification."
Following: inserted material
Insert: (new paragraph) "The board may delegate authority to examine monitoring assistants to inspection teams and may authorize such teams to adapt the practical aspect of examinations to the equipment in a particular facility."

2. Amendment No. 7, line 5 of inserted material.

Following: "who"
Strike: remainder of inserted material
Insert: "has been examined by the board or its agent in life support skills and demonstrated a satisfactory level of proficiency as established by the board."

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

That HB 235, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 44

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: Eck, Farrell, Lane, Stimatz, Story.
Total 5

HB 332 - That HB 332 be concurred in. Motion carried as follows:

Ayes: Bengtson, Brown, Christiaens, Crippen, Daniels, Eck, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Manning, Mazurek, McCallum, Pinsoneault, Regan, Severson, Stimatz, Thayer, Towe, Weeding, Yellowtail.
Total 30

Noes: Aklestad, Boylan, Goodover, Himsl, Neuman, Shaw, Smith, Story.
Total 8

Excused: Williams.
Total 1

Absent or not voting: Anderson, Blaylock, Conover, Farrell, Lane, Lynch, Mohar, Stephens, Tveit, Van Valkenburg, Mr. President.
Total 11

HB 352 - That HB 352 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 358 - That HB 358, third reading copy, be amended as follows:

1. Page 5, line 4.
Following: "~~contacting~~"
Strike: "ATTEMPT"
Insert: "establish procedures to be followed by school personnel for attempting"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

That HB 358, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.

Total 1

Absent or not voting: None.
Total 0

HB 420 - Senator Weeding moved that HB 420 be placed below HB 445. Motion carried unanimously.

HB 438 - That HB 438 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 439 - That HB 439 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 440 - That HB 440 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 441 - That HB 441 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 442 - That HB 442 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 443 - That HB 443 be concurred in. Motion carried as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Towe, Van Valkenburg, Weeding, Yellowtail.
Total 32

Noes: Aklestad, Anderson, Crippen, Farrell, Hager, Hammond, Harding, Himsl, Kolstad, Smith, Story, Thayer.
Total 12

Excused: Williams.
Total 1

Absent or not voting: Boylan, Mazurek, Shaw, Tveit, Mr. President.
Total 5

HB 444 - That HB 444 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 445 - That HB 445 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 420 - That HB 420 be concurred in. Senator Shaw made a substitute motion that HB 420 be not concurred in. Substitute motion failed as follows:

Ayes: Aklestad, Bengtson, Brown, Crippen, Farrell, Fuller, Goodover, Hammond, Himsl, McCallum, Severson, Shaw, Stephens.
Total 13

Noes: Anderson, Blaylock, Christiaens, Conover, Daniels, Eck, Gage, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mohar, Neuman, Regan, Smith, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail.
Total 29

Excused: Williams.
Total 1

Absent or not voting: Boylan, Galt, Lynch, Mazurek, Pinsoneault, Thayer, Mr. President.
Total 7

That HB 420, third reading copy, be amended as follows:

1. Title, lines 8 and 9.
Following: "~~PROVISION;~~" on line 8
Strike: remainder of line 8 through "PROVISION;" on line 9

2. Page 3, lines 9 through 20.
Strike: subsection (3) in its entirety

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

That HB 420, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 462 - That HB 462 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Christiaens, Crippen, Daniels, Fuller, Gage, Goodover, Haffey, Hager, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, McCallum, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg.
Total 33

Noes: Boylan, Brown, Eck, Farrell, Halligan, Himsl, Mohar, Regan, Towe, Yellowtail.
Total 10

Excused: Williams.
Total 1

Absent or not voting: Conover, Galt, Lynch, Mazurek, Weeding, Mr. President.
Total 6

HB 472 - That HB 472 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 475 - That HB 475 be concurred in. Motion carried as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Fuller, Gage, Haffey, Hager, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 32

Noes: Aklestad, Anderson, Boylan, Farrell, Goodover, Halligan, Hammond, Harding, Himsl, Hirsch, McCallum, Shaw, Thayer.
Total 13

Excused: Williams.
Total 1

Absent or not voting: Daniels, Galt, Lynch, Mazurek.
Total 4

HB 489 - That HB 489, third reading copy, be amended as follows:

1. Page 10, line 1.
Following: "STATE;"
Strike: "OR"
Insert: "and"

2. Page 12, line 24.
Following: "STATE;"
Strike: "OR"
Insert: "and"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

That HB 489, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 491 - That HB 491 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 492 - That HB 492 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 497 - That HB 497 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 48

Noes: Regan.
Total 1

Excused: Williams.
Total 1

Absent or not voting: None.
Total 0

HB 520 - Senator Van Valkenburg moved that HB 520 be moved to the bottom of the board. Motion carried unanimously.

HB 531 - Senator Christiaens moved that HB 531 be placed below HB 567. Motion carried unanimously.

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Kolstad moved the adoption of the committee report. Report adopted.

Senator Van Valkenburg moved that the Senate recess until 1:30 p.m. Motion carried unanimously.

Senate recessed at 11:56 a.m.

Senate reconvened at 1:51 p.m.

Senator Williams present at this time.

FIRST READING OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SJR 37, introduced by Hager. Referred to Committee on Public Health, Welfare and Safety.

The following House bill was introduced, read first time, and referred to committee:

HB 701, introduced by Fritz, B. Brown, Fuller, Halligan, Spaeth, D. Brown, Thomas, Severson, Swift, Farrell, Keenan, Ream, Menahan, Thoft, (By Request of the Department of Revenue). Referred to Committee on Taxation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Kolstad in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 550 - That HB 550 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 567 - That HB 567 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 531 - That HB 531 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 571 - That HB 571 be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Eck, Fuller, Gage, Galt, Halligan, Hammond, Harding, Keating, Kolstad, Lane, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg.
Total 31

Noes: Aklestad, Daniels, Goodover, Haffey, Hager, Himsl, Hirsch, Jacobson, Lybeck, Lynch, Severson, Story, Mr. President.
Total 13

Excused: None.
Total 0

Absent or not voting: Conover, Farrell, Manning, Weeding, Williams, Yellowtail.
Total 6

HB 574 - That HB 574 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Hager.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 643 - That HB 643, third reading copy, be amended as follows:

1. Page 1, line 18.
Following: "rifle"
Strike: ","
Insert: "or"
Following: "shotgun"
Strike: ", or handgun"

2. Page 1, line 20.
Following: "rifles"
Strike: ","
Insert: "and"
Following: "shotguns"
Strike: ", and handguns"

Senator Shaw made a substitute motion that the amendments to HB 643 do not pass. Substitute motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Conover, Crippen, Farrell, Fuller, Gage, Galt, Goodover, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Mazurek, McCallum, Mohar, Neuman, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg.
Total 35

Noes: Blaylock, Christiaens, Eck, Haffey, Halligan, Lybeck, Manning, Pinsoneault, Regan, Williams, Mr. President.
Total 11

Excused: None.
Total 0

Absent or not voting: Daniels, Hager, Weeding, Yellowtail.
Total 4

That HB 643 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Blaylock, Pinsoneault.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of Senator Jacobson, and without objection, Senator Jacobson's vote on HB 643 be recorded as yes.

HB 670 - That HB 670 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 673 - That HB 673 be concurred in. Motion failed as follows:

Ayes: Blaylock, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Haffey, Halligan, Harding, Jacobson, Manning, Mazurek, Mohar, Pinsoneault, Regan, Thayer, Van Valkenburg, Williams.
Total 20

Noes: Aklestad, Boylan, Brown, Farrell, Galt, Goodover, Hager, Hammond, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Lynch, McCallum, Severson, Smith, Stephens, Stimatz, Tveit, Mr. President.
Total 22

Excused: None.
Total 0

Absent or not voting: Anderson, Bengtson, Neuman, Shaw, Story, Towe, Weeding, Yellowtail.
Total 8

Senator Van Valkenburg moved that HB 673 be indefinitely postponed. Motion carried as follows:

Ayes: Aklestad, Anderson, Boylan, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Lynch, McCallum, Severson, Shaw, Stephens, Story, Tveit, Mr. President.
Total 24

Noes: Bengtson, Brown, Christiaens, Conover, Crippen, Eck, Fuller, Haffey, Halligan, Jacobson, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Smith, Thayer, Towe, Van Valkenburg, Weeding, Williams.
Total 22

Excused: None.
Total 0

Absent or not voting: Blaylock, Daniels, Stimatz, Yellowtail.
Total 4

HB 683 - That HB 683 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 686 - That HB 686 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 687 - That HB 687 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 700 - That HB 700 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Farrell, Fuller, Gage, Galt, Goodover, Hager, Halligan, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Van Valkenburg, Weeding, Williams, Mr. President.
Total 38

Noes: Blaylock, Daniels, Eck, Haffey, Hammond, Hirsch, Manning, Neuman, Stimatz, Towe, Yellowtail.
Total 11

Excused: None.
Total 0

Absent or not voting: Tveit.
Total 1

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Kolstad moved the adoption of the committee report. Report adopted.

Senator Van Valkenburg moved that the Senate recess until 3:20 p.m. Motion carried unanimously.

Senate recessed at 3:10 p.m.

Senate reconvened at 3:23 p.m.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Kolstad in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 265 and HB 520 - Senator Van Valkenburg moved that HB 265 and HB 520 be placed at the top of the board. Motion carried unanimously.

HB 265 - That HB 265, third reading copy, be amended as follows:

1. Page 2, line 18.
Following: "test"
Insert: "for state streambed ownership"

2. Page 6.
Following: line 3
Strike: subsection (3) in its entirety
Insert: "(e) overnight camping within sight of any occupied dwelling or within 500 yards of any occupied dwelling, whichever is less;

(f) the placement or creation of any permanent duck blind, boat moorage, or any seasonal or other objects within sight of or within 500 yards of an occupied dwelling, whichever is less; or

(g) use of a streambed as a right-of-way for any purpose when water is not flowing therein.

(3) The right of the public to make recreational use of class II waters does not include, without permission of the landowner:

(a) big game hunting;

(b) overnight camping;

(c) the placement or creation of any seasonal object; or

(d) other activities which are not primarily water-related pleasure activities as defined in [section 1(10)]."

3. Page 7, line 4.
Following: "COMMISSION;"
Strike: "AND"

4. Page 7, line 7.
Following: "(A)"
Strike: "."
Insert: "; and"

5. Page 7.
Following: line 7
Insert: "(c) a procedure for the identification of streams within class II waters which are not capable of recreational use or are capable of limited recreational use, and a procedure to restrict the recreational use to the actual capacity of the water."

6. Page 7, lines 21 through 23.
Following: "STRUCTURE" on line 21
Strike: remainder of line 21 through "STRUCTURE" on line 23
Insert: "which"

7. Page 8, line 21.
Following: "around"
Strike: "natural"
Insert: "artificial"

8. Page 8.
Following: line 21

Insert: "not owned by the landowner on whose land the portage route will be placed"

9. Page 10, line 12.
Following: "supervisor"
Insert: "or any member of the arbitration panel"

10. AMEND SENATE JUDICIARY COMMITTEE REPORT OF 3/27/85 ON HOUSE BILL NO. 265 AS FOLLOWS:
Strike: amendment nos. 13, 19 through 27, 29, and 32 in their entirety

Amendment passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Christiaens, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Regan, Severson, Smith, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 32

Noes: Aklestad, Brown, Conover, Crippen, Daniels, Galt, Goodover, Hammond, Himsl, Keating, Kolstad, McCallum, Neuman, Pinsoneault, Shaw, Stephens, Story, Tveit.
Total 18

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 265, third reading copy, be further amended as follows:

1. Page 4, lines 23 through 24.
Following: "BODY" on line 23
Strike: remainder of line 23 through "MARK" on line 24

Amendment passed as follows:

Ayes: Aklestad, Anderson, Brown, Conover, Crippen, Daniels, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, McCallum, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Tveit, Weeding.
Total 27

Noes: Bengtson, Blaylock, Boylan, Christiaens, Eck, Farrell, Fuller, Haffey, Halligan, Jacobson, Lybeck, Lynch, Manning, Mazurek, Mohar, Regan, Stimatz, Thayer, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 23

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 265, Senate Judiciary Committee Report of 3/29/85, be further amended as follows:

1. Amendment No. 17.
Strike: amendment no. 17 in its entirety

Amendment failed as follows:

Ayes: Aklestad, Anderson, Bengtson, Brown, Daniels, Galt, Goodover, Hager, Himsl, Hirsch, Keating, Kolstad, McCallum, Neuman, Severson, Smith, Story, Tveit, Weeding.
Total 19

Noes: Blaylock, Boylan, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Haffey, Halligan, Hammond, Harding, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Shaw, Stephens, Stimatz, Thayer, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 31

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 265, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 42

Noes: Conover, Daniels, Galt, McCallum, Neuman, Shaw, Story, Tveit.
Total 8

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 520 - That HB 520 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Boylan, Severson.
Total 2

HB 710 - That HB 710 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek,

McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Kolstad moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 3/30/85
HB 923, be concurred in. Report adopted.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The House, on 3/30/85, acceded to the request of the Senate for the return of HB 798 and is returning said bill to the Senate for further consideration.

MOTIONS

Senator Van Valkenburg moved that the Senate reconsider its action in indefinitely postponing HB 673. Motion carried unanimously.

Senator Van Valkenburg moved that the Senate request the return of HB 673 from the House of Representatives and that HB 673 be placed on second reading on the 70th legislative day. Motion carried unanimously.

Senator Van Valkenburg moved that the Senate adjourn until 8:30 a.m., April 1, 1985.

Motion carried.

Senate adjourned at 5:26 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

SEVENTIETH LEGISLATIVE DAY

Helena, Montana
April 1, 1985

Senate Chambers
State Capitol

Senate convened at 9:35 a.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except McCallum, Stimatz, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the sixty-eighth legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 3/30/85

Correctly enrolled: SB 81, SB 187, SB 194, SB 205, SB 224, SB 226, SB 296, SB 314, SB 450.

Examined by the sponsor (Aklestad) and found to be correct: SB 81.

Examined by the sponsor (Towe) and found to be correct: SB 187.

Examined by the sponsor (Manning) and found to be correct: SB 194.

Examined by the sponsor (Christiaens) and found to be correct: SB 205.

Examined by the sponsor (Van Valkenburg) and found to be correct: SB 224.

Examined by the sponsor (Jacobson) and found to be correct: SB 226.

Examined by the sponsor (Stimatz) and found to be correct: SB 296.

Examined by the sponsor (Jacobson) and found to be correct: SB 314.

Examined by the sponsor (Christiaens) and found to be correct: SB 450.

Signed by the President at 11:00 a.m., 3/30/85: SB 96, SB 130, SB 155, SB 188, SB 206, SB 239, SB 242, SB 246, SB 251, SB 259, SB 278, SB 294, SB 307, SB 327, SB 333, SB 341, SB 357, SB 362, SB 363, SB 384, SB 387, SB 414, SB 422, SB 454, SB 464, SJR 14, SJR 15, SJR 19, SJR 21, SJR 27.

Signed by the President at 11:00 a.m., 3/30/85: HB 635, HB 698, HB 799, HB 840, HJR 18, HJR 20.

Signed by the President at 5:00 p.m., 3/30/85: SB 81, SB 187, SB 194, SB 205, SB 224, SB 226, SB 296, SB 314, SB 450.

Delivered to the Governor for his approval at 12:00 noon, 3/30/85: SB 41, SB 103, SB 159, SB 197, SB 209, SB 212, SB 230, SB 257, SB 282, SB 306.

Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 4/1/85

Recommend that at the beginning of business April 1, 1985, the following be employed:

Kirsten Crippen ..... Page
Carolyn Thornquist ..... Page
Paula Odegard ..... Page
Dan Ferriter ..... Page
Zun-Ying Woo ..... Page
Jennifer Gaghen ..... Page
Burton Smith ..... Page
Harry Bennett ..... Page

Report adopted.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bills not concurred in and returned to the Senate: 3/30/85

SB 344, introduced by Neuman, et al.

SB 424, introduced by B. Williams, et al.

SB 435, introduced by Galt

Senate bills not concurred in as amended and returned to the Senate: 3/30/85

SB 418, introduced by Boylan, et al.

SB 446, introduced by Hager, Hirsch

SB 458, introduced by Lynch, et al.

The House, on 3/30/85, acceded to the request of the Senate for the return of HB 673 and is returning said bill to the Senate for further consideration.

Senate bill failed to pass according to House Rule 1-5 and returned to the Senate: 3/30/85

SB 48, introduced by Towe, M. Williams

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Yellowtail in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 18, HB 183, HB 711, HB 720, HB 750, HB 913 - Senator Van Valkenburg moved that HB 18, HB 183, HB 711, HB 720, HB 750, and HB 913 be moved to the bottom of the board. Motion carried unanimously.

Senators Boylan, Daniels, Lynch excused at this time.

HB 739 - That HB 739 be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Christiaens, Conover, Eck, Fuller, Galt, Goodover, Haffey, Hager, Harding, Hirsch, Jacobson, Kolstad, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Towe, Van Valkenburg, Weeding, Yellowtail.
Total 26

Noes: Aklestad, Brown, Crippen, Farrell, Gage, Hammond, Himsl, Keating, Lane, Severson, Shaw, Smith, Stephens, Story, Thayer, Williams.
Total 16

Excused: Boylan, Daniels, Lynch, McCallum, Stimatz.
Total 5

Absent or not voting: Halligan, Tveit, Mr. President.
Total 3

HB 747 - That HB 747 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey,

Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Boylan, Daniels, Lynch, McCallum, Stimatz.
Total 5

Absent or not voting: None.
Total 0

HB 818 - Senator Van Valkenburg moved that HB 818 be moved to the top of the board. Motion carried unanimously.

That HB 818 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Boylan, Daniels, Lynch, McCallum, Stimatz.
Total 5

Absent or not voting: None.
Total 0

HB 778 - That HB 778, Senate Judiciary Standing Committee Report on March 28, 1985, be amended as follows:

1. Amendment No. 1.
Strike: amendment no. 1 in its entirety

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Boylan, Daniels, Lynch, McCallum, Stimatz.
Total 5

Absent or not voting: None.
Total 0

Senators Bengtson, Goodover, Kolstad, Smith, Stephens, and Tveit excused at this time.

That HB 778, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Brown, Conover, Crippen, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Harding, Keating, Lane, Lybeck, Mazurek, Mohar, Pinsoneault, Regan, Severson, Shaw, Thayer, Weeding, Williams.
Total 26

Noes: Christiaens, Eck, Hammond, Himsl, Hirsch, Jacobson, Manning, Neuman, Story, Towe, Van Valkenburg, Yellowtail, Mr. President.
Total 13

Excused: Bengtson, Boylan, Daniels, Goodover, Kolstad, Lynch, McCallum, Smith, Stephens, Stimatz, Tveit.
Total 11

Absent or not voting: None.
Total 0

HB 791 - That HB 791 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 39

Noes: None.
Total 0

Excused: Bengtson, Boylan, Daniels, Goodover, Kolstad, Lynch, McCallum, Smith, Stephens, Stimatz, Tveit.
Total 11

Absent or not voting: None.
Total 0

HB 793 - That HB 793 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Shaw, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 38

Noes: Neuman.
Total 1

Excused: Bengtson, Boylan, Daniels, Goodover, Kolstad, Lynch, McCallum, Smith, Stephens, Stimatz, Tveit.
Total 11

Absent or not voting: None.
Total 0

HB 798 - That HB 798, third reading copy, be amended as follows:

1. Statement of intent, page 3, line 12.
Following: "licensing of"
Insert: "current"

2. Page 1, line 19.

Following: "to the"
Strike: "fullest extent possible"
Insert: "extent of federal funding"

3. Page 1, line 24.
Following: "licensing of"
Insert: "current"

4. Page 2, line 24 through page 3, line 7.
Following: "Section 3." on line 24
Strike: remainder of line 24 through "(2)" on line 7
Insert: "Department authorized to provide services."

Amendment passed as follows:

Ayes: Aklestad, Anderson, Blaylock, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 39

Noes: None.
Total 0

Excused: Bengtson, Boylan, Daniels, Goodover, Kolstad, Lynch, McCallum, Smith, Stephens, Stimatz, Tveit.
Total 11

Absent or not voting: None.
Total 0

That HB 798, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 39

Noes: None.
Total 0

Excused: Bengtson, Boylan, Daniels, Goodover, Kolstad, Lynch, McCallum, Smith, Stephens, Stimatz, Tveit.
Total 11

Absent or not voting: None.
Total 0

HB 813 - Senator Crippen moved that HB 813 be moved to the bottom of the board. Motion carried unanimously.

HB 837 - That HB 837 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 39

Noes: None.
Total 0

Excused: Bengtson, Boylan, Daniels, Goodover, Kolstad, Lynch, McCallum, Smith, Stephens, Stimatz, Tveit.
Total 11

Absent or not voting: None.
Total 0

HB 858 - That HB 858 be concurred in. Motion carried as follows:

Ayes: Anderson, Blaylock, Christiaens, Conover, Crippen, Farrell, Fuller, Gage, Haffey, Halligan, Harding, Himsl, Jacobson, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 26

Noes: Aklestad, Galt, Hager, Hammond, Keating, Severson, Story, Thayer.
Total 8

Excused: Bengtson, Boylan, Daniels, Goodover, Kolstad, Lynch, McCallum, Smith, Stephens, Stimatz, Tveit.
Total 11

Absent or not voting: Brown, Eck, Hirsch, Lane, Shaw.
Total 5

HB 864 - That HB 864 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 39

Noes: None.
Total 0

Excused: Bengtson, Boylan, Daniels, Goodover, Kolstad, Lynch, McCallum, Smith, Stephens, Stimatz, Tveit.
Total 11

Absent or not voting: None.
Total 0

HB 885 - That HB 885, third reading copy, be amended as follows:

1. Page 27, line 13 through page 28, line 1.
Strike: section 25 in its entirety
Renumber: subsequent sections

2. Page 44, line 10.
Following: "7-12-4165"
Strike: "or [section"
Following: "44"
Strike: "42]"

3. Page 50, line 6.
Following: "7-12-4165"
Strike: "or [section"

4. Page 50, line 7.

Following: "~~44~~"
Strike: "42]"

5. Page 51.
Following: line 17
Strike: "and [section"
Following: "~~44~~"
Strike: "42]"

6. Page 66, lines 15 and 18.
Following: "~~27~~"
Insert: "and"
Following: "25"
Strike: ", and ~~28~~ 26"

7. Page 66, lines 20 and 21.
Following: "~~61~~"
Strike: "36, 42, 50, 53, 55, AND 58"
Insert: "35, 48, 51, 53, and 56"

8. Page 66, lines 24 and 25.
Following: "~~61~~"
Strike: "36, 42, 50, 53, 55, AND 58"
Insert: "35, 48, 51, 53, and 56"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Blaylock, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 39

Noes: None.
Total 0

Excused: Bengtson, Boylan, Daniels, Goodover, Kolstad, Lynch, McCallum, Smith, Stephens, Stimatz, Tveit.
Total 11

Absent or not voting: None.
Total 0

That HB 885, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 39

Noes: None.
Total 0

Excused: Bengtson, Boylan, Daniels, Goodover, Kolstad, Lynch, McCallum, Smith, Stephens, Stimatz, Tveit.
Total 11

Absent or not voting: None.
Total 0

HB 894 - That HB 894, third reading copy, be amended as follows:

1. Page 2, line 24.
Following: "all"
Strike: "affected"
Following: "owners"
Insert: "to whom the service is to be extended"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Blaylock, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 39

Noes: None.
Total 0

Excused: Bengtson, Boylan, Daniels, Goodover, Kolstad, Lynch, McCallum, Smith, Stephens, Stimatz, Tveit.
Total 11

Absent or not voting: None.
Total 0

That HB 894, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 39

Noes: None.
Total 0

Excused: Bengtson, Boylan, Daniels, Goodover, Kolstad, Lynch, McCallum, Smith, Stephens, Stimatz, Tveit.
Total 11

Absent or not voting: None.
Total 0

HB 911 - That HB 911 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 39

Noes: None.
Total 0

Excused: Bengtson, Boylan, Daniels, Goodover, Kolstad, Lynch, McCallum, Smith, Stephens, Stimatz, Tveit.
Total 11

Absent or not voting: None.

Total 0

HB 923 - Senator Norman moved that HB 923 be moved to the bottom of the board. Motion carried unanimously.

HJR 19 - That HJR 19 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 39

Noes: None.
Total 0

Excused: Bengtson, Boylan, Daniels, Goodover, Kolstad, Lynch, McCallum, Smith, Stephens, Stimatz, Tveit.
Total 11

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Yellowtail moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Blaylock moved that HB 910 be taken from the Committee on Legislative Administration and that it be placed on second reading this legislative day. Motion carried as follows:

Ayes: Bengtson, Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 26

Noes: Aklestad, Anderson, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 23

Paired: Bengtson, Blaylock, Christiaens, Daniels, Haffey, Lybeck, Lynch, Mazurek, Stimatz, Yellowtail, Ayes; Aklestad, Goodover, Harding, Keating, Kolstad, McCallum, Smith, Stephens, Story, Tveit, Noes.

Excused: Boylan.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the Senate recess until 1:30 p.m. Motion carried unanimously.

Senate recessed at 11:00 a.m.

Senate reconvened at 1:33 p.m.

Senators Bengtson, Kolstad, Lynch, McCallum, Smith, Stephens, and Tveit present at this time.

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 1, 1985

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 146, 196, 223, 263, 274, 342, and 404 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bills concurred in and returned to the Senate: 4/1/85

SB 57, introduced by Conover

SB 208, introduced by Towe, Neuman

SB 343, introduced by Halligan

SB 350, introduced by Crippen, Keyser

SB 353, introduced by Lybeck, et al.

SB 399, introduced by Crippen, Keyser

SB 409, introduced by Farrell

SB 415, introduced by Harding, et al.

SB 440, introduced by B. Williams, et al.

SB 447, introduced by Manning, McCormick

SB 461, introduced by Fuller, Mazurek

SJR 25, introduced by Towe, et al.

SJR 29, introduced by Weeding, et al.

SJR 30, introduced by Christiaens, et al.

SB 12, introduced by Haffey

SB 88, introduced by Aklestad

SB 95, introduced by Lynch

SB 156, introduced by Towe

SB 181, introduced by Haffey

SB 234, introduced by E. Smith, et al.

SB 249, introduced by Boylan, et al.

SB 281, introduced by Fuller, et al.

SB 284, introduced by Towe

SB 308, introduced by Blaylock, et al.

SB 316, introduced by Hirsch, et al.

SB 334, introduced by Crippen, et al.

SB 340, introduced by B. Brown, et al.

SB 372, introduced by Gage

SB 385, introduced by Crippen, et al.

SB 408, introduced by Thayer, et al.

SB 423, introduced by Halligan, et al.

SB 433, introduced by Norman

Senate bills concurred in as amended and returned to the Senate for concurrence in House amendments: 4/1/85

SB 369, introduced by Neuman, et al.

SB 168, introduced by Haffey, B. Brown

SB 183, introduced by Mazurek

SB 258, introduced by Tveit, et al.

SB 265, introduced by Mohar

SB 268, introduced by Halligan

SB 283, introduced by Galt, Neuman

SB 309, introduced by Mohar, et al.

SB 320, introduced by Tveit, et al.

SB 321, introduced by Fuller, et al.

SB 322, introduced by Towe

SB 325, introduced by Van Valkenburg, et al.

SB 354, introduced by Mazurek, et al.

SB 371, introduced by Mohar, et al.

SB 375, introduced by Towe, Bardanouve

SB 402, introduced by Fuller, et al.

SB 412, introduced by E. Smith, et al.

SB 427, introduced by Manning, et al.

SB 438, introduced by Towe

SB 451, introduced by Mazurek

House bills passed and transmitted to the Senate for concurrence: 4/1/85

HB 14, introduced by Asay

HB 108, introduced by Winslow

HB 198, introduced by Ramirez, et al.

HB 206, introduced by Bardanouve

HB 320, introduced by Waldron

HB 344, introduced by Manuel

HB 381, introduced by Ream, Van Valkenburg

HB 410, introduced by Harp, Mazurek

HB 633, introduced by Lory, et al.

HB 684, introduced by Waldron

HB 869, introduced by Menahan, et al.

HB 932, introduced by Spaeth, Conover

HB 945, introduced by Pavlovich, et al.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SJR 35 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Farrell, Fuller, Gage, Galt, Haffey, Halligan, Hammond, Harding, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 36

Noes: Aklestad, Eck, Hager, Himsl, Hirsch, Keating, McCallum, Mohar, Shaw, Yellowtail.
Total 10

Excused: Boylan, Daniels, Goodover, Stimatz.
Total 4

Absent or not voting: None.
Total 0

HB 101 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Galt, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Regan, Severson, Stephens, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 37

Noes: Aklestad, Gage, Hammond, Kolstad, Neuman, Pinsoneault, Shaw, Smith, Tveit.
Total 9

Excused: Boylan, Daniels, Goodover, Stimatz.
Total 4

Absent or not voting: None.
Total 0

HB 121 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane,

Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Boylan, Daniels, Goodover, Stimatz.
Total 4

Absent or not voting: None.
Total 0

HB 127 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Boylan, Daniels, Goodover, Stimatz.
Total 4

Absent or not voting: None.
Total 0

HB 160 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Boylan, Daniels, Goodover, Stimatz.
Total 4

Absent or not voting: None.
Total 0

Senator Daniels present at this time.

HB 185 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Haffey, Halligan, Harding, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Smith, Stephens, Story, Thayer, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.

Total 30

Noes: Brown, Eck, Gage, Galt, Hager, Hammond, Himsl, Hirsch, Keating, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Towe, Weeding.
Total 17

Excused: Boylan, Goodover, Stimatz.
Total 3

Absent or not voting: None.
Total 0

HB 235 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Story.
Total 1

Excused: Boylan, Goodover, Stimatz.
Total 3

Absent or not voting: None.
Total 0

HB 265 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Crippen, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 41

Noes: Conover, Daniels, Galt, McCallum, Neuman, Shaw, Story.
Total 7

Paired: Stimatz, Aye; Galt, No.

Excused: Boylan, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 282 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 43

Noes: Galt, Lybeck, Shaw, Towe, Yellowtail.
Total 5

Paired: Stimatz, Aye; Shaw, No.

Excused: Boylan, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 315 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Boylan, Goodover, Stimatz.
Total 3

Absent or not voting: None.
Total 0

HB 332 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 42

Noes: Aklestad, Hammond, Himsl, Shaw, Smith.
Total 5

Excused: Boylan, Goodover, Stimatz.
Total 3

Absent or not voting: None.
Total 0

HB 338 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Haffey, Hager, Halligan, Harding, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Severson, Shaw, Stephens, Story, Thayer, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 36

Noes: Aklestad, Christiaens, Gage, Hammond, Himsl, Hirsch, Mohar, Regan, Smith, Towe, Van Valkenburg.
Total 11

Excused: Boylan, Goodover, Stimatz.
Total 3

Absent or not voting: None.

Total 0

HB 352 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Boylan, Goodover, Stimatz.
Total 3

Absent or not voting: None.
Total 0

HB 354 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Goodover, Kolstad, Neuman, Thayer.
Total 4

Paired: Crippen, Aye; Goodover, No.

Excused: Boylan, Stimatz.
Total 2

Absent or not voting: None.
Total 0

HB 358 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Boylan, Goodover, Stimatz.
Total 3

Absent or not voting: None.
Total 0

HB 420 concurred in as follows:

Ayes: Bengtson, Blaylock, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 38

Noes: Aklestad, Anderson, Brown, Farrell, Hammond, Kolstad, Pinsoneault, Shaw, Smith.
Total 9

Excused: Boylan, Goodover, Stimatz.
Total 3

Absent or not voting: None.
Total 0

HB 438 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Boylan, Goodover, Stimatz.
Total 3

Absent or not voting: None.
Total 0

HB 439 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 46

Noes: Yellowtail.
Total 1

Excused: Boylan, Goodover, Stimatz.
Total 3

Absent or not voting: None.
Total 0

HB 440 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer,

Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Boylan, Goodover, Stimatz.
Total 3

Absent or not voting: None.
Total 0

HB 441 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Boylan, Goodover, Stimatz.
Total 3

Absent or not voting: None.
Total 0

HB 442 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Boylan, Goodover, Stimatz.
Total 3

Absent or not voting: None.
Total 0

HB 443 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Gage, Galt, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mohar, Neuman, Pinsoneault, Regan, Stephens, Towe, Van Valkenburg, Weeding, Williams, Mr. President.
Total 31

Noes: Aklestad, Crippen, Farrell, Hammond, Himsl, Keating, Kolstad, Mazurek, McCallum, Severson, Shaw, Smith, Story, Thayer, Tveit, Yellowtail.

Total 16

Excused: Boylan, Goodover, Stimatz.
Total 3

Absent or not voting: None.
Total 0

HB 444 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Hammond, Neuman, Shaw.
Total 3

Excused: Boylan, Goodover, Stimatz.
Total 3

Absent or not voting: None.
Total 0

HB 445 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 43

Noes: Hammond, Mazurek, Shaw, Yellowtail.
Total 4

Excused: Boylan, Goodover, Stimatz.
Total 3

Absent or not voting: None.
Total 0

HB 462 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Haffey, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Smith, Stephens, Story, Thayer, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 39

Noes: Brown, Eck, Hager, Himsl, Regan, Shaw, Towe, Weeding.
Total 8

Excused: Boylan, Goodover, Stimatz.
Total 3

Absent or not voting: None.
Total 0

HB 472 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Galt, Keating, Kolstad, Shaw.
Total 4

Excused: Boylan, Goodover, Stimatz.
Total 3

Absent or not voting: None.
Total 0

HB 475 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Smith, Stephens, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 37

Noes: Daniels, Galt, Hammond, Harding, Himsl, Hirsch, Pinsoneault, Severson, Shaw, Thayer.
Total 10

Excused: Boylan, Goodover, Stimatz.
Total 3

Absent or not voting: None.
Total 0

HB 489 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Boylan, Goodover, Stimatz.
Total 3

Absent or not voting: None.
Total 0

Senator Stimatz present at this time.

HB 491 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager,

Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Boylan, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 492 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Boylan, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 497 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Fuller, Mazurek, Regan.
Total 3

Excused: Boylan, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 520 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 48

Noes: None.
Total 0

Excused: Boylan, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 531 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Boylan, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 550 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 40

Noes: Aklestad, Galt, Hammond, Hirsch, Shaw, Story, Thayer, Tveit.
Total 8

Excused: Boylan, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 567 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Boylan, Goodover.

Total 2

Absent or not voting: None.
Total 0

HB 571 concurred in as follows:

Ayes: Anderson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Harding, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Regan, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Williams, Mr. President.
Total 31

Noes: Aklestad, Bengtson, Daniels, Hammond, Himsl, Hirsch, Jacobson, Lynch, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Tveit, Yellowtail.
Total 17

Excused: Boylan, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 574 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Boylan, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 611 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Regan.
Total 1

Excused: Boylan, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 616 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Boylan, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 643 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Blaylock, Pinsoneault.
Total 2

Excused: Boylan, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 670 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Boylan, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 683 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story,

Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Boylan, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 686 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Boylan, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 687 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Boylan, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 700 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 41

Noes: Daniels, Haffey, Hammond, Lane, Stimatz, Towe, Yellowtail.

Total 7

Excused: Boylan, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 710 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, McCallum, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Kolstad, Mazurek, Mohar, Neuman.
Total 4

Excused: Boylan, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 721 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Boylan, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 763 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Mr. President.
Total 43

Noes: Aklestad, Hirsch, Neuman, Weeding, Yellowtail.
Total 5

Excused: Boylan, Goodover.
Total 2

Absent or not voting: None.

Total 0

HB 764 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Story.
Total 1

Excused: Boylan, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 770 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Boylan, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 900 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Boylan, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 884 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 42

Noes: Blaylock, Himsl, Hirsch, Mohar, Neuman.
Total 5

Excused: Boylan, Goodover.
Total 2

Absent or not voting: Stimatz.
Total 1

HB 912 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Boylan, Goodover.
Total 2

Absent or not voting: None.
Total 0

HB 921 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Haffey, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Eck, Hager, Himsl, Regan, Story.
Total 5

Excused: Boylan, Goodover.
Total 2

Absent or not voting: None.
Total 0

HJR 22 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Regan, Severson, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.

Total 40

Noes: Aklestad, Hammond, Keating, Mohar, Pinsoneault, Shaw, Story, Yellowtail.
Total 8

Excused: Boylan, Goodover.
Total 2

Absent or not voting: None.
Total 0

HJR 23 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Boylan, Goodover.
Total 2

Absent or not voting: None.
Total 0

HJR 36 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 42

Noes: Fuller, Himsl, Hirsch, Mohar, Neuman.
Total 5

Excused: Boylan, Goodover.
Total 2

Absent or not voting: Stimatz.
Total 1

At the request of Senator Shaw, and without objection, Senator Shaw's vote on HB 160 be recorded as yes.

At the request of Senator Shaw, and without objection, Senator Shaw's vote on HJR 22 be recorded as no.

At the request of Senator Aklestad, and without objection, Senator Aklestad's vote on HB 420 be recorded as no.

At the request of Senator Blaylock, and without objection, Senator Blaylock's vote on HB 884 be recorded as no.

At the request of Senator Smith, and without objection, Senator Smith's vote on HB 420 be recorded as no.

At the request of Senator Manning, and without objection, Senator Manning's vote on HB 282 be recorded as yes.

At the request of Senator Haffey, and without objection, Senator Haffey's vote on HB 439 be recorded as yes.

At the request of Senator Galt, and without objection, Senator Galt's vote on HB 531 be recorded as yes.

At the request of Senator Towe, and without objection, Senator Towe's vote on HB 670 be recorded as yes.

At the request of Senator Stimatz, and without objection, Senator Stimatz' vote on HB 710 be recorded as yes.

At the request of Senator McCallum, and without objection, Senator McCallum's vote on HB 921 be recorded as yes.

At the request of Senator Shaw, and without objection, Senator Shaw's vote on HB 921 be recorded as yes.

At the request of Senator Thayer, and without objection, Senator Thayer's vote on HB 921 be recorded as yes.

At the request of Senator Tveit, and without objection, Senator Tveit's vote on HJR 22 be recorded as yes.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Yellowtail in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Senators Boylan and Goodover present at this time.

HB 18 - That HB 18, third reading copy, be amended as follows:

1. Title.
Following: line 9
Insert: "RETAINING PARTIAL FINANCIAL SUPPORT THROUGH A MILL LEVY IN COUNTIES WHERE VOCATIONAL-TECHNICAL INSTITUTES ARE LOCATED;"

2. Title, line 16.
Following: "MCA;"
Insert: "PROVIDING FOR A STATEWIDE 2-MILL PROPERTY TAX LEVY IF APPROVED BY THE ELECTORATE OF THE STATE;"

3. Page 43, line 22.
Following: "(b)"
Insert: "The board of county commissioners of each county in which a designated vocational-technical institute is located shall levy a tax of 1 ½ mills on the dollar of all taxable real and personal property within the county for the support and maintenance of the vocational-technical institute located within the county.

[(c) The legislature shall levy a property tax of not more than 2 mills on the taxable value of all real and personal property in the

state. All revenue from this property tax must be appropriated by the legislature for the support and maintenance of the vocational-technical institute system.]

(d)"

4. Page 58.
Following: line 1
Insert: "NEW SECTION. Section 40. Submission of statewide mill levy to electorate. (1) The question of whether to impose a 2-mill property tax on all property in the state, as provided in the bracketed language in section 26 that amends 20-7-324, shall be submitted to the electors of the state of Montana at the general election to be held November 1986, by printing on the ballot "A REFERENDUM ON THE QUESTION OF FUNDING VOCATIONAL-TECHNICAL INSTITUTES BY A LEVY OF NOT MORE THAN 2 MILLS ON ALL TAXABLE PROPERTY IN THE STATE" and the following:

[ ] FOR the 2-mill levy for the support of vocational-technical institutes

[ ] AGAINST the 2-mill levy for the support of vocational-technical institutes"
Renumber: subsequent sections

5. Page 58, line 18.
Following: "39,"
Insert: "40,"

6. Page 58, line 21.
Following: "and"
Strike: "40"
Insert: "41"

7. Page 58, line 22.
Following: "through"
Strike: "42"
Insert: "43"

8. Page 58.
Following: line 22
Insert: "(3) If the bracketed language in section 26 that amends 20-7-324 to provide for a statewide 2-mill property tax levy for support of vocational-technical institutes is approved by the electorate pursuant to section 40, the language becomes effective January 1, 1987."

Amendment failed as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Fuller, Haffey, Halligan, Keating, Lane, Lybeck, Manning, Mazurek, Neuman, Regan, Thayer, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 23

Noes: Aklestad, Anderson, Boylan, Daniels, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lynch, McCallum, Mohar, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Tveit, Williams.
Total 27

Excused: None.

Total 0

Absent or not voting: None.
Total 0

That HB 18, third reading copy, be further amended as follows:

1. Title, lines 5 and 6.
Following: "ESTABLISHING" on line 5
Strike: "A STATE BOARD ALLOCATED TO"
Insert: "THAT"

2. Title, line 6.
Following: "REGENTS"
Strike: "TO"

3. Title, line 10.
Following: "SECTIONS"
Strike: "2-18-103,"
Following: "19-4-302,"
Strike: "20-1-101,"

4. Title.
Following: line 10
Strike: "20-2-111 THROUGH 20-2-114,"

5. Title, line 15.
Following: "20-9-603,"
Strike: "20-25-701,"

6. Title, line 17.
Following: "~~IMMEDIATE~~"
Strike: "A DELAYED"
Insert: "AN IMMEDIATE"

7. In each of the following locations:
Strike: "vocational-technical institutes"
Insert: "regents"

Statement of intent, line 6.
Page 3, line 3.
Page 3, line 4.
Page 5, line 25.
Page 6, lines 2, 6, 14, 15, 18, and 23.
Page 15, lines 16 and 17.
Page 36, line 17.
Page 37, lines 4, 16, and 22.
Page 38, lines 1, 4, and 19.
Page 39, lines 4, 11, 23, and 24.
Page 40, lines 3 and 16.
Page 41, line 16.
Page 43, lines 5 and 25.
Page 44, line 23.
Page 45, lines 2 and 21.
Page 46, line 8.
Page 47, lines 9 and 17.
Page 48, lines 9, 16, and 20.
Page 50, line 4.
Page 56, line 24.

8. In each of the following locations:
Strike: "1987"

Insert: "1986"

Statement of intent, line 12.
Title, line 19.
Page 7, lines 9, 15, 17, 19, 21, and 25.
Page 38, line 7.
Page 58, line 22.

9. Page 1, line 25 through page 2, line 18.
Strike: section 1 in its entirety
Renumber: subsequent sections

10. Page 3, line 3.
Strike: "(1)"
Renumber: subsections from alphabetical to numerical designation

11. Page 4, line 4.
Strike: "education"
Insert: "institutes"

12. Page 5, lines 16 through 21.
Strike: subsection (2) in its entirety

13. Page 8, line 3 through page 9, line 4.
Strike: section 7 in its entirety
Renumber: subsequent sections

14. Page 9, line 23.
Strike: "the board of vocational-technical institutes or"

15. Page 12, line 11.
Following: "institute"
Strike: "as designated by the"
Insert: ","

16. Page 12, line 12.
Strike: "board of vocational-technical institutes or by"

17. Page 12, line 13.
Following: "system"
Insert: ","

18. Page 15, line 25 through line 16, page 19.
Strike: sections 10 through 14 in their entirety
Renumber: subsequent sections

19. Page 41, lines 11 and 12.
Strike: "postsecondary vocational-technical institutes"
Insert: "regents"

20. Page 52, line 6.
Strike: "the board of vocational-technical institutes or"

21. Page 53, line 6 through page 54, line 9.
Strike: section 35 in its entirety
Renumber: subsequent sections

22. Page 57, line 19 through page 58, line 5.
Strike: sections 39 and 40 in their entirety
Renumber: subsequent sections

23. Page 58, line 7.
Following: "Sections"
Strike: "2"

Insert: "1"
Following: "through"
Strike: "5"
Insert: "4"

24. Page 58, line 9.
Following: "sections"
Strike: "2"
Insert: "1"
Following: "through"
Strike: "5"
Insert: "4"

25. Page 58, line 18.
Strike: "1, 3, 4 through 6, 11 through 14, 39,"
Insert: "2 through 5"

26. Page 58, lines 19 and 20.
Strike: "JANUARY 1, 1986"
Insert: "passage and approval"

27. Page 58, line 21.
Strike: "2, 7"
Insert: "1 and 6"
Strike: "10, 15 through 38, and 40"
Insert: "32"

28. Page 58, line 22.
Strike: "through 42"

Amendment passed as follows:

Ayes: Anderson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Galt, Goodover, Haffey, Hager, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, McCallum, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Van Valkenburg, Williams, Mr. President.
Total 33

Noes: Aklestad, Bengtson, Boylan, Fuller, Gage, Himsl, Lybeck, Mazurek, Mohar, Shaw, Smith, Thayer, Towe, Tveit, Weeding, Yellowtail.
Total 16

Excused: None.
Total 0

Absent or not voting: Halligan.
Total 1

That HB 18, as amended, be concurred in. Senator Lynch made a substitute motion that HB 18 be indefinitely postponed. Substitute motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lybeck, Lynch, Mazurek, McCallum, Mohar, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Tveit, Weeding, Mr. President.
Total 34

Noes: Blaylock, Christiaens, Conover, Crippen, Eck, Halligan, Keating, Lane, Manning, Neuman, Regan, Thayer, Towe, Van Valkenburg, Williams, Yellowtail.

Total 16

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 183 - That HB 183 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Haffey, Hager, Halligan, Harding, Jacobson, Keating, Lybeck, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Stephens, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail.
Total 31

Noes: Boylan, Galt, Goodover, Hammond, Himsl, Hirsch, Kolstad, Lane, Lynch, Manning, Severson, Shaw, Smith, Stimatz, Thayer, Williams.
Total 16

Excused: None.
Total 0

Absent or not voting: Farrell, Story, Mr. President.
Total 3

HB 711 - That HB 711, third reading copy, be amended as follows:

1. Page 4, line 7.
Following: "purposes."
Insert: "The governing body may rescind, modify, or repeal such ordinance at any time by use of the same procedures."

2. AMEND SENATE NATURAL RESOURCES COMMITTEE REPORT OF 3/28 ON HOUSE BILL NO. 711 AS FOLLOWS:
Amendment No. 4
Strike: inserted material in its entirety
Insert: "(2) An ordinance prohibiting the sale and distribution of certain phosphorus compounds used for cleaning purposes may only be adopted if:

(a) the county has a natural lake, whether or not it is fitted with a dam, for which the department of health and environmental sciences or the governing body of the county has determined that eutrophication enhanced by human activity is occurring and that phosphorus is the limiting factor; and

(b) other efforts are being undertaken in the county to reduce the amount of phosphorus entering surface waters."

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Hager, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams.
Total 36

Noes: Blaylock, Brown, Daniels, Haffey, Halligan, Himsl, Lybeck, Lynch, Manning, Severson, Stimatz, Yellowtail.
Total 12

Excused: None.
Total 0

Absent or not voting: Thayer, Mr. President.
Total 2

That HB 711, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Bengtson, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Halligan, Harding, Himsl, Hirsch, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Smith, Stephens, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 33

Noes: Anderson, Crippen, Gage, Galt, Goodover, Hager, Hammond, Jacobson, Keating, Lynch, Severson, Shaw, Stimatz, Thayer.
Total 14

Excused: None.
Total 0

Absent or not voting: Blaylock, Haffey, Kolstad.
Total 3

HB 720 - That HB 720 be concurred in. Senator Stephens made a substitute motion that HB 720 be not concurred in. Substitute motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Crippen, Daniels, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Hirsch, Keating, Lane, McCallum, Mohar, Pinsoneault, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Weeding, Williams.
Total 29

Noes: Blaylock, Christiaens, Conover, Eck, Fuller, Haffey, Halligan, Himsl, Jacobson, Kolstad, Lybeck, Lynch, Manning, Mazurek, Neuman, Regan, Severson, Towe, Van Valkenburg, Yellowtail, Mr. President.
Total 21

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Yellowtail moved the adoption of the committee report. Report adopted.

Senator Van Valkenburg moved that the Senate recess, subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 4:43 p.m.

Senate reconvened at 5:00 p.m.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Mazurek in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Senator Neuman excused at this time.

HB 750 - That HB 750, third reading copy, be amended as follows:

1. Page 2, line 12.
Following: "person"
Insert: "making application to the federal energy regulatory commission"
Following: "file"
Strike: "and"
Insert: "with"

2. Page 2, lines 12 and 13.
Following: "department" on line 12
Strike: "shall accept an"
Insert: "notice of and a copy of the federal"

3. Page 2, line 13.
Following: "application"
Strike: "and complete a study of"
Insert: "regarding"

4. Page 2, lines 14 and 15.
Following: "(1)" on line 14
Strike: "as provided in 75-20-211 through 75-20-216"

5. Page 2, line 15.
Following: "on"
Strike: "the"
Insert: "its"

6. Page 2, line 16.
Following: "study"
Strike: "completed under this chapter"
Insert: "of the federal application and other material gained through intervention in the federal proceeding"

7. Page 2, line 17.
Following: "timely"
Insert: "notice of and a copy of the federal"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Boylan, Brown, Christiaens, Conover, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Jacobson, Keating, Kolstad, Lane, Lynch, Mazurek, McCallum, Pinsoneault, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams.
Total 29

Noes: Bengtson, Blaylock, Eck, Fuller, Haffey, Halligan, Himsl, Hirsch, Lybeck, Manning, Mohar, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 18

Excused: Neuman.
Total 1

Absent or not voting: Daniels, Severson.
Total 2

That HB 750, third reading copy, be further amended as follows:

1. Page 2.
Following: line 16
Insert: "(3) A person subject to the provisions of subsection (2) shall pay a fee to the department pursuant to 85-2-124 at the time an application is filed with the federal energy regulatory commission. The fee shall be used by the department to carry out its responsibilities under Title 85, chapter 2, and to develop a state recommendation and participate as a party in any necessary federal proceeding to assert the state recommendation. No fee prescribed by 75-20-215 may be assessed against a person paying a fee under this section."
Renumber: subsequent subsection

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 40

Noes: Crippen, Galt, Hager, Hammond, Keating, Shaw, Thayer.
Total 7

Excused: Neuman.
Total 1

Absent or not voting: Story, Williams.
Total 2

That HB 750, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Keating.
Total 1

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

Senator Neuman present at this time.

HB 913 - That HB 913, Senate Natural Resources Committee report on 3/29/85, be amended as follows:

1. Page 5, section 4(2)(a).
Following: "grant"
Strike: "and loan"

2. Page 6, section 4(2)(g).

Following: "by the"
Strike: "20th"
Insert: "5th"

3. Page 10, section 11(1).
Following: "recommending"
Strike: "to the"

4. Page 13.
Following: section 15
Insert: "NEW SECTION. Section 16. Coordination instruction. If House Bill No. 766 is not passed and approved, the bracketed portions of section 8 are void."
Renumber: subsequent sections

5. Page 14, section 18.
Following: "Effective"
Strike: "date"
Insert: "dates"
Following: "date."
Insert: "(1)"
Following: "act"
Insert: ", except for sections 13, 14, and 15,"
Following: "approval."
Insert: "(2) Sections 13, 14, and 15 are effective July 1, 1987."

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Keating.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 913, as amended, be concurred in. Motion failed as follows:

Ayes: Bengtson, Christiaens, Eck, Fuller, Haffey, Hager, Halligan, Jacobson, Lybeck, Lynch, Mazurek, Mohar, Neuman, Regan, Smith, Stimatz, Towe, Tveit, Van Valkenburg, Yellowtail, Mr. President.
Total 21

Noes: Aklestad, Anderson, Blaylock, Boylan, Brown, Conover, Crippen, Farrell, Gage, Galt, Goodover, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Manning, McCallum, Pinsoneault, Severson, Shaw, Stephens, Story, Thayer, Weeding, Williams.
Total 28

Excused: None.
Total 0

Absent or not voting: Daniels.

Total 1

Senator Van Valkenburg moved that HB 913, as amended, be indefinitely postponed. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Conover, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Manning, McCallum, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Weeding, Williams, Mr. President.
Total 33

Noes: Bengtson, Christiaens, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lybeck, Lynch, Mazurek, Mohar, Regan, Stimatz, Towe, Van Valkenburg, Yellowtail.
Total 17

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 813 - That HB 813 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 673 - Senator Van Valkenburg moved that HB 673 be placed above HB 923. Motion carried unanimously.

That HB 673, third reading copy, be amended as follows:

1. Page 1, line 25 through page 2, line 11.
Strike: subsection (2) in its entirety
Renumber: subsequent subsections

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.

Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 673, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 923 - That HB 923, third reading copy, be amended as follows:

1. Title, lines 6 and 7.
Following: "ASSIGNING THE" on line 6
Strike: remainder of line 6 through "COMMITTEE" on line 7
Insert: "SELECT COMMITTEE ON THE CAPITOL"

2. Title, lines 9 and 10.
Strike: "2-17-103," on line 9
Insert: "2-17-109 AND,"
Following: "2-17-110"
Insert: ","
Strike: "THROUGH 2-17-112, 5-17-102, AND 5-17-103,"
Following: "MCA;"
Insert: "REPEALING SECTION 2-17-103, MCA;"

4. Page 1.
Following: line 13
Insert: "NEW SECTION. Section 1. Select committee on the capitol — membership. (1) There is a select committee on the capitol, which is a permanent joint committee of the legislature.

(2) The select committee is composed of the president of the senate and the minority leader of the senate and the speaker of the house and the minority leader of the house and the chairman and a minority member of the legislative administration committee of each house. The minority member selected from the legislative administration committee in each house shall be selected by the minority leader of the respective house.

NEW SECTION. Section 2. Duties of the select committee on the capitol. The select committee on the capitol shall assign space in the capitol and shall determine those agencies and offices that may be tenants in the capitol. The select committee shall serve as

the legislature's agent in implementing the legislature's duties to allocate space in the capitol."
Renumber: subsequent sections

5. Page 3, line 1.
Following: "the"
Strike: "capitol building and planning committee"
Insert: "legislature"

6. Page 4, line 22.
Following: "~~the~~"
Strike: "capitol building and planning committee"
Insert: "legislature"

7. Page 4.
Following: line 22
Strike: "allocate"
Insert: "provide in its rules for allocation of"

8. Page 5, lines 1 through 6.
Strike: section 4 in its entirety
Renumber: subsequent sections

9. Page 5.
Following: line 6
Insert: "Section 6. Section 2-17-109, MCA, is amended to read:

"2-17-109. Remodeling and renovation — senate chambers and former supreme court chambers to be preserved. (1) Notwithstanding the provisions of Title 5, chapter 17, part 1, the ~~department of administration~~ legislature shall proceed with the plans for the remodeling and renovation of the state capitol for which moneys were appropriated by the 47th legislature and reappropriated by the 48th legislature.

~~(2) In proceeding with such plans, the department of administration shall consult with the capitol building and planning committee provided for in 5-17-101; however, such plans and the implementation of such plans need not be reported to the 49th legislature before implementation.~~

~~(3)~~(2) The ~~department of administration~~ legislature, in the implementation of such plans, shall keep and maintain the senate chambers in its present location.

~~(4)~~(3) If future senate bodies should determine that the location of the senate chambers is to be moved, the ~~department of administration~~ legislature shall keep and maintain the physical structure and location of the present senate chambers as a single room which shall be used for legislative purposes. Such room shall not be divided in any manner, and the artwork and height of the ceiling shall be maintained and preserved.

~~(5)~~(4) The ~~department of administration~~ legislature shall keep and maintain the physical structure and location of the supreme court chambers, which were occupied by the Montana supreme court until the new justice building was completed and dedicated in 1983, as a single room which shall be used for legislative committee purposes. Such room shall not be divided in any manner, and the artwork and height of the ceiling shall be maintained and preserved.

(5) If the senate is not moved to the east wing of the capitol, the legislature shall keep and maintain the physical structure and location of the area formerly occupied by the state law library as a single room which shall be used for legislative committee purposes. The room shall not be divided in any manner, and the artwork and height of the ceiling shall be maintained and preserved.""

Renumber: subsequent sections

10. Page 5, line 8.
Following: "Allocation of"
Insert: "space for"

11. Page 5, line 9.
Following: "representatives"
Strike: "workspace"

12. Page 5, line 19 through page 9, line 8.
Strike: sections 6 through 10 in their entirety

13. Page 9.
Following: line 8
Insert: "NEW SECTION. Section 8. Repealer. Section 2-17-103, MCA, is repealed."
Renumber: subsequent section

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 923, third reading copy, be further amended as follows:

1. Page 6, line 13.
Following: "committee"
Strike: "may"
Insert: "shall"

2. Page 6, lines 15 and 16.
Following: "all" on line 15
Strike: "maintenance, repair,"

3. Page 6, line 16.
Following: "remodeling"
Strike: "."

Amendment failed as follows:

Ayes: Bengtson, Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Regan, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 23

Noes: Aklestad, Anderson, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, McCallum, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Weeding.
Total 27

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 923, third reading copy, be further amended by adding the following statement of intent:

Statement of Intent
HB 923

A statement of intent is not required for House Bill No. 923 but has been included to provide a clear record of intent.

The legislature intends to provide for the details of administration of and space assignment functions in the capitol through its presiding officers. The rules of the legislature will provide for additional details of administration, including additional responsibilities for the select committee on the capitol created by the bill.

It is further the intent of the legislature that the long-term plan for the capitol provide for the capitol as a legislative building. Only functions directly related to the legislative process or the operation of the building will remain in the capitol. The legislature intends to require agencies to move as soon as they can be economically and conveniently provided with alternative quarters.

It is not the intent of the legislature, however, that the office of the governor move from the capitol until or unless the select committee on the capitol shall so decide and adequate quarters are provided for the governor's office.

Amendment passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Haffey, Hager, Halligan, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 40

Noes: Aklestad, Boylan, Gage, Goodover, Hammond, Harding, Hirsch, Neuman, Smith, Tveit.
Total 10

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 923, Senate Committee of the Whole amendment of 4/1/85, be further amended as follows:

1. Amendment No. 4, inserted material.
Line 6 of section 2
Following: "capitol"
Insert: "and shall report their findings for approval to the 50th legislature"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 923, as amended, be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 41

Noes: Aklestad, Boylan, Gage, Hammond, Harding, Himsl, Severson, Smith, Tveit.
Total 9

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Mazurek moved the adoption of the committee report. Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Mazurek in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 910 - That HB 910 be concurred in. Motion carried as follows:

Ayes: Bengtson, Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Himsl, Jacobson, Kolstad, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 26

Noes: Aklestad, Anderson, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Hirsch, Keating, Lane, Lynch, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams.
Total 24

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Mazurek moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 183 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Brown, Christiaens, Conover, Crippen, Eck, Fuller, Gage, Haffey, Hager, Halligan, Harding, Jacobson, Keating, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Stephens, Stimatz, Story, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 33

Noes: Blaylock, Boylan, Daniels, Farrell, Galt, Goodover, Hammond, Himsl, Hirsch, Kolstad, Lynch, Severson, Shaw, Smith, Thayer, Tveit, Williams.
Total 17

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 673 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Boylan, Farrell, Himsl, Hirsch, Severson, Shaw, Smith.
Total 7

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 711 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Haffey, Halligan, Harding. Himsl, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 35

Noes: Gage, Galt, Goodover, Hager, Hammond, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Severson, Shaw, Smith, Thayer.
Total 15

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 739 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Haffey, Hager, Halligan, Harding, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Stephens, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 36

Noes: Boylan, Brown, Farrell, Goodover, Hammond, Himsl, Hirsch, Keating, Severson, Shaw, Smith, Story, Thayer, Tveit.
Total 14

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 747 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 750 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 778 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Tveit, Weeding, Williams, Mr. President.
Total 41

Noes: Boylan, Hammond, Himsl, Hirsch, Jacobson, Smith, Towe, Van Valkenburg, Yellowtail.
Total 9

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 791 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 793 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith,

Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 798 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Hager.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 813 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 818 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Goodover, Hirsch, Keating, Shaw.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 837 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Keating, Severson.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 858 concurred in as follows:

Ayes: Anderson, Blaylock, Brown, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Stephens, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 37

Noes: Aklestad, Bengtson, Boylan, Christiaens, Goodover, Hager, Hammond, Keating, Severson, Shaw, Smith, Thayer, Tveit.
Total 13

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 864 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 46

Noes: Goodover, McCallum, Neuman, Weeding.
Total 4

Excused: None.
Total 0

Absent or not voting: None.

Total 0

HB 885 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 894 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 910 failed to be concurred in as follows:

Ayes: Bengtson, Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 24

Noes: Aklestad, Anderson, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lynch, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams.
Total 26

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 911 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 923 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Aklestad, Gage, Hammond, Harding, Smith, Tveit.
Total 6

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 19 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of Senator Lybeck, and without objection, Senator Lybeck's vote on HB 858 be recorded as yes.

At the request of Senator Fuller, and without objection, Senator Fuller's vote on HB 183 be recorded as yes.

At the request of Senator Hammond, and without objection, Senator Hammond's vote on HB 711 be recorded as no.

At the request of Senator Van Valkenburg, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate recess, subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 7:43 p.m.

Senate reconvened at 9:33 p.m.

MOTIONS

Senator Van Valkenburg moved that the rules be temporarily suspended for one day in order to accept from the House of Representatives, through the 71st legislative day, all bills required to be transmitted by the 70th legislative day. Motion failed as follows:

Ayes: Bengtson, Blaylock, Boylan, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 28

Noes: Aklestad, Anderson, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 22

Paired: Mazurek, Aye; Hager, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the President be empowered to accept any bills transmitted from the House of Representatives to the Senate during the 70th legislative day and that the President be allowed to return any bills requested from the House of Representatives during this time. Motion carried unanimously.

Senator Van Valkenburg moved that the Senate adjourn until 1:15 p.m., April 2, 1985.

Motion carried.

Senate adjourned at 9:44 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

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Volume III

OF THE

Forty-Ninth Legislature

OF THE

STATE OF MONTANA

VOLUME III

Held in Helena, the Seat of Government
Commencing in Regular Session January 7, 1985
and Ending April 25, 1985

BILL NORMAN
President of the Senate

BONNIE R. WALLEM
Secretary of the Senate

PUBLISHED BY
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SEVENTY-FIRST LEGISLATIVE DAY

Helena, Montana
April 2, 1985

Senate Chambers
State Capitol

Senate convened at 1:15 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the sixty-ninth legislative day, find the same to be correct.

Manning, Chairman

SPECIAL ORDERS OF THE DAY

Esther Brown and Bud Brown performed "Danny Boy" in celebration of President Norman's birthday.

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 1, 1985

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 134, 261, and 272 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 1, 1985

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Vincent:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill No. 394, "AN ACT TO ENTITLE PUBLIC EMPLOYEES IN CERTAIN CATEGORIES TO PER DIEM COMPENSATION FOR THEIR SERVICE AS MEMBERS OF QUASI-JUDICIAL AND STATE EDUCATION AND HISTORICAL SOCIETY BOARDS ~~AND~~; TO INCREASE THE PER DIEM COMPENSATION FOR MEMBERS OF STATE EDUCATION AND HISTORICAL SOCIETY BOARDS FROM $25 A DAY TO $50 A DAY; AND TO PROVIDE PER DIEM COMPENSATION FOR MEMBERS OF THE STATE LIBRARY COMMISSION; AMENDING SECTIONS 2-15-124, 2-15-1009, 2-15-1512, 2-15-1706, 19-3-302, 20-2-113, 22-1-101, AND 22-3-105, MCA; AND PROVIDING AN EFFECTIVE

DATE," without my signature and recommend the attached amendment for the following reasons:

As passed, House Bill No. 394 allows state and local government employees to receive compensation when serving on state boards. The bill also provides that, in order for these state or local government employees to receive compensation, they must perform their board duties outside their regular working hours or while on annual leave. The purpose of the latter provision is to prevent public employees from being paid for board duties when in fact they are still being paid for their regular employment activities...a purpose that makes good sense.

Two groups of employees are excluded, however, from the provision disallowing double compensation. The first group consists of those employees exempted from the definition of employee contained in 2-18-601, including elected officials, school teachers, university professors and others hired under personal services contracts. The other group of excluded employees are those listed in 2-18-103. Those excluded employees include, among others, department directors, chief and assistant state investment officers, and legislative and judicial employees. Some of these "excluded" employees have entered into personal services contracts or do not have regularly established work schedules; some, however, are not on contract and do have regular work schedules such as department directors and legislative and judicial employees.

One purpose of HB 394 was to pay these "excluded" employees an additional $50 because it is difficult to determine the regular work schedules or annual leave time of some of these employees. If there is difficulty in determining regular work schedules or annual leave, it should be resolved by the employer at the time of hire. The difficulty should not be resolved in a provision of state law created to compensate private citizens for donating their personal time to serve on state boards.

A clear result of House Bill No. 394 is to encourage "double-dipping." "Excluded" state and local government employees would be entitled to receive their regular pay and the extra $50 while performing board duties! I do not believe this "double-dipping" is an acceptable public policy. One salary funded by Montana's taxpayers should adequately cover the work of a public employee serving on a state board.

The amendment I am proposing will prevent "double-dipping," while allowing a state or local government employee to receive the extra $50 if he performs his board duties off regular working hours or while on annual leave.

I urge your concurrence in this amendment.

Governor's Proposed Amendments
to HB 394

1. Page 3, line 13.
Following: "state" on line 13
Strike: ",as" on line 13 through "2-18-103," on line 15.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bill concurred in and returned to the Senate: 4/1/85

SB 247, introduced by Daniels

Senate bills concurred in as amended and returned to the Senate for concurrence in House amendments: 4/1/85

SB 26, introduced by Towe

SB 33, introduced by Severson, Switzer

SB 67, introduced by Gage

SB 323, introduced by Hager

SB 349, introduced by Mazurek

SB 431, introduced by Eck, et al.

SB 436, introduced by Bengtson, B. Brown

SB 19, introduced by Lynch

SB 25, introduced by Towe

SB 116, introduced by Aklestad, et al.

SB 142, introduced by Halligan

Senate bills not concurred in as amended and returned to the Senate: 4/1/85

SB 74, introduced by Aklestad

SB 129, introduced by Boylan, et al.

SB 370, introduced by Van Valkenburg, McCallum

House bills passed and transmitted to the Senate for concurrence: 4/1/85

HB 211, introduced by Eudaily, et al.

HB 212, introduced by Eudaily, et al.

HB 295, introduced by Harrington, et al.

HB 374, introduced by Waldron, B. Brown

HB 430, introduced by Bradley, et al.

HB 651, introduced by Winslow, et al.

HB 843, introduced by Bardanouve, et al.

HB 870, introduced by D. Brown, Waldron

HB 873, introduced by Fritz, et al.

HB 935, introduced by Winslow

HB 956, introduced by Marks

HB 957, introduced by Winslow

HB 270, introduced by Marks, et al.

HB 632, introduced by Eudaily, et al.

HB 667, introduced by Donaldson, et al.

HB 693, introduced by Koehnke, et al.

HB 754, introduced by Fritz, et al.

HB 909, introduced by Manuel

HB 942, introduced by Winslow

HB 943, introduced by Donaldson

HB 949, introduced by Marks

HJR 41, introduced by Wallin, et al.

MOTIONS

Senator Van Valkenburg moved that the Senate recess, subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 1:35 p.m.

Senate reconvened at 2:06 p.m.

REPORTS OF STANDING COMMITTEES

BUSINESS AND INDUSTRY (Halligan, Chairman): 4/2/85
SJR 36, do pass. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman April 2, 1985
President of the Senate
State Capitol
Helena, Montana 59620

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 251, 363, and 384 on April 1, 1985.

Sincerely,

Ted Schwinden
Governor

MOTIONS

Senator Haffey moved that the rules be temporarily suspended in order to allow for the introduction of a Senate joint resolution. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Brown, Himsl.
Total 2

Senator Van Valkenburg moved that the rules be temporarily suspended in order to receive any bills from the House of Representatives that had

to be transmitted by the 70th legislative day through the 72nd legislative day. Motion failed as follows:

Ayes: Bengtson, Blaylock, Boylan, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 28

Noes: Aklestad, Anderson, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 22

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Farrell in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 79 - That the Governor's amendments to SB 79 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 93 - That the Governor's amendments to SB 93 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.

Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 165 - That the Governor's amendments to SB 165 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 28 - That House amendments to SB 28 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 89 - That House amendments to SB 89 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 119 - That House amendments to SB 119 be not concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Aklestad.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 126 - That House amendments to SB 126 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 135 - That House amendments to SB 135 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.

Total 0

Absent or not voting: None.
Total 0

SB 152 - That House amendments to SB 152 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 160 - That House amendments to SB 160 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 167 - That House amendments to SB 167 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 214 - That House amendments to SB 214 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 215 - That House amendments to SB 215 be not concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Shaw.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 233 - That House amendments to SB 233 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.

Total 0

SB 236 - That House amendments to SB 236 be not concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 255 - That House amendments to SB 255 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 266 - That House amendments to SB 266 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 273 - That House amendments to SB 273 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 289 - That House amendments to SB 289 be not concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 300 - That House amendments to SB 300 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 301 - That House amendments to SB 301 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 326 - That House amendments to SB 326 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 329 - That House amendments to SB 329 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 331 - That House amendments to SB 331 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 332 - That House amendments to SB 332 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 337 - That House amendments to SB 337 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 380 - That House amendments to SB 380 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 392 - That House amendments to SB 392 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 406 - That House amendments to SB 406 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 411 - That House amendments to SB 411 be not concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 420 - That House amendments to SB 420 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Farrell moved the adoption of the committee report. Report adopted.

Senator Van Valkenburg moved that the Senate adjourn until 1:15 p.m., April 3, 1985.

Motion carried.

Senate adjourned at 3:04 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

SEVENTY-SECOND LEGISLATIVE DAY

Helena, Montana
April 3, 1985

Senate Chambers
State Capitol

Senate convened at 1:17 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the seventieth legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 4/3/85
Correctly printed and placed on the members' desks: SJR 36.

TAXATION (Towe, Chairman): 4/3/85
HB 652, be concurred in. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 2, 1985

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 103, 159, 197, 209, 212, 282, 306, 310, and 345 on this date.

Sincerely,

Ted Schwinden
Governor

FIRST READING OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 14, introduced by Asay, (By Request of the Select Committee on Indian Affairs). Referred to Committee on Finance and Claims.

HB 108, introduced by Winslow. Referred to Committee on Local Government.

HB 198, introduced by Ramirez, B. Brown, Crippen, J. Williams, Keenan, Switzer, Devlin. Referred to Committee on Taxation.

HB 206, introduced by Bardanouve, (By Request of the Office of Budget and Program Planning). Referred to Committee on Finance and Claims.

HB 211, introduced by Eudaily, Harrington, Mercer, Peck, Peterson, Menahan, Donaldson, Swift, Thomas, Keenan, Darko, Cobb, Ellison, Harp, Brandewie, Cohen, O'Hara, Wallin, Gould, Lory, Haffey, Thoft, Hayne, Nisbet, (By Request of the Office of Public Instruction and the Board of Public Education). Referred to Committee on Education and Cultural Resources.

HB 212, introduced by Eudaily, Harrington, Mercer, Peck, Peterson, Menahan, Donaldson, Swift, Thomas, Keenan, Darko, Cobb,

Brandewie, Harp, Ellison, Cohen, Hayne, O'Hara, Wallin, Gould, Haffey, Thoft, Lory, Nisbet, (By Request of the Office of Public Instruction and the Board of Public Education). Referred to Committee on Finance and Claims.

HB 270, introduced by Marks, Harper, Haffey, Fuller, Menahan, Donaldson, Keenan. Referred to Committee on Finance and Claims.

HB 320, introduced by Waldron. Referred to Committee on Finance and Claims.

HB 344, introduced by Manuel. Referred to Committee on Finance and Claims.

HB 374, introduced by Waldron, B. Brown. Referred to Committee on Taxation.

HB 381, introduced by Ream, Van Valkenburg, (By Request of the Office of Public Instruction). Referred to Committee on Finance and Claims.

HB 410, introduced by Harp, Mazurek. Referred to Committee on Taxation.

HB 430, introduced by Bradley, Norman, Christiaens, Harper, Mazurek, J. Brown, Lory, Winslow, Grady, Hayne, Peterson, Miles, Hager. Referred to Committee on Taxation.

HB 632, introduced by Eudaily, Lory, Menahan, Darko, Harbin, Nisbet, Nelson, Swift. Referred to Committee on Finance and Claims.

HB 633, introduced by Lory, Harper, Cohen, Miles, Fritz, Eck, Ream, Kadas, Iverson, Christiaens, Montayne, Connelly, Mohar, Hansen, Eudaily. Referred to Committee on Finance and Claims.

HB 651, introduced by Winslow, Addy, Waldron, Kitselman, Mercer, Schye, Nelson, Thomas, Connelly, Yellowtail, Keating. Referred to Committee on Taxation.

HB 667, introduced by Donaldson, Manuel, Fuller, Farrell, Hager, Haffey, Mazurek, Crippen, Halligan, (By Request of the Board of Crime Control). Referred to Committee on Finance and Claims.

HB 684, introduced by Waldron, (By Request of the Department of Administration). Referred to Committee on Finance and Claims.

HB 693, introduced by Koehnke, Manuel, Abrams, Devlin, Spaeth, Harbin, Bachini, Hayne, Grady, Thoft, Schultz, Holliday, Schye, Hand, Cody, Poff, Marks, Wallin, Bengtson, Rapp-Svrcek, Howe, Lane. Referred to Committee on Taxation.

HB 754, introduced by Fritz, J.K. Moore, Garcia, O'Connell, Peck, Bachini, Zabrocki, O'Hara, McCormick, Pistoria, Manning, Phillips, Driscoll, C. Smith, Jones, Harrington, D. Brown, Harp, Gould, Hansen, Bradley, Harbin, Cody, Nisbet, Miles, Harper, Vincent, Nelson, Keyser, Peterson, Manuel, Schye, Montayne, Eck, Thomas. Referred to Committee on Finance and Claims.

HB 843, introduced by Appropriations Committee, (By Request of the House Appropriations Committee). Referred to Committee on Public Health, Welfare and Safety.

HB 869, introduced by Menahan, Harrington, Pavlovich, Keenan, Rapp-Svrcek, Darko, Krueger. Referred to Committee on Taxation.

HB 870, introduced by D. Brown, Waldron. Referred to Committee on Taxation.

HB 873, introduced by Fritz, Thayer, Fuller, Pinsoneault, Bergene, Sales, J.K. Moore, Cohen, Cody, Zabrocki, Sands, Raney, B. Brown, Peck, Mazurek, Harbin, Darko, Blaylock, Christiaens, Donaldson, Eudaily, Lory, Asay, Howe, Kennerly, Kadas, C. Smith, Jones, O'Connell, Peterson, Ellison, Wallin, Hayne, Kitselman, Gilbert, J. Hammond, J. Brown, Abrams, Keller, Hansen, Hannah, Rehberg, Nelson, Keenan, Gould, Krueger, Pavlovich, J. Moore, Addy, Hand, Vincent, Montayne, Rapp-Svrcek, Harper, Koehnke, Mercer, Spaeth,

Phillips, Holliday, Nisbet, Ream, (By Request of the Governor). Referred to Committee on Finance and Claims.

HB 909, introduced by Manuel, (By Request of the House Appropriations Committee). Referred to Committee on Finance and Claims.

HB 932, introduced by Spaeth, Conover. Referred to Committee on Finance and Claims.

HB 935, introduced by Winslow. Referred to Committee on Finance and Claims.

HB 942, introduced by Winslow. Referred to Committee on Finance and Claims.

HB 943, introduced by Donaldson, (By Request of the House Appropriations Committee). Referred to Committee on Taxation.

HB 945, introduced by Pavlovich, Stimatz, Quilici, D. Brown, Garcia, Lynch, Patterson, J.K. Moore, Christiaens, Raney, Bergene, Fritz, Menahan, Nisbet, Cody, Pistoria, O'Connell, Koehnke, Schye, Harrington, Driscoll, Keenan, Hart, Devlin, Krueger, Spaeth, Zabrocki, Peck, Howe, Halligan, Keyser, Nathe, Norman, Aklestad, Kennerly, Anderson, Bradley, Shaw, Jones, Montayne, Bachini, Holliday, Van Valkenburg, Gould, C. Smith, Farrell, J. Moore, Daniels, Haffey, Jacobson, Lory, Manning, Boylan, Goodover, Peterson, Conover, Thayer, Bengtson, Swift, Weeding, Phillips, Thomas, Crippen, B. Williams, Lane, Towe, Jenkins, Hirsch, Compton, Stephens, McCallum, Glaser, Tveit, Kolstad, Gage, Story, Campbell, Ellison, (By Request of the House State Administration Committee). Referred to Committee on Rules.

HB 949, introduced by Marks. Referred to Committee on Finance and Claims.

HB 956, introduced by Marks. Referred to Committee on Finance and Claims.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Fuller in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 168 - That House amendments to SB 168 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 183 - That House amendments to SB 183 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 258 - That House amendments to SB 258 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 265 - That House amendments to SB 265 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 268 - That House amendments to SB 268 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 321 - At the request of Chairman Fuller, and without objection, House amendments to SB 321 be placed below House amendments to SB 375.

SB 283 - That House amendments to SB 283 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 309 - That House amendments to SB 309 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 320 - That House amendments to SB 320 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 322 - That House amendments to SB 322 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 325 - At the request of Senator Van Valkenburg, and without objection, consideration on SB 325 be passed until the 74th legislative day.

SB 354 - That House amendments to SB 354 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 369 - That House amendments to SB 369 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 371 - That House amendments to SB 371 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 375 - That House amendments to SB 375 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.

Total 0

Absent or not voting: None.
Total 0

Senator Haffey in the Chair.

SB 321 - At the request of Senator Fuller, and without objection, consideration on House amendments to SB 321 be passed.

SB 402 - That House amendments to SB 402 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Fuller in the Chair.

SB 412 - That House amendments to SB 412 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 427 - That House amendments to SB 427 be not concurred in. Motion carried as follows:

Ayes: Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 35

Noes: Aklestad, Anderson, Goodover, Hager, Hammond, Kolstad, Shaw, Smith, Stephens, Thayer, Tveit.
Total 11

Excused: None.
Total 0

Absent or not voting: Galt, Lynch, Severson, Mr. President.
Total 4

SB 438 - That House amendments to SB 438 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 451 - That House amendments to SB 451 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Fuller moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the rules be temporarily suspended in order to allow all bills presently in the House of Representatives which

were required to meet the 70th day deadline be accepted in the Senate through the 73rd legislative day. Motion failed as follows:

Ayes: Bengtson, Blaylock, Boylan, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 28

Noes: Aklestad, Anderson, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Tveit.
Total 21

Excused: None.
Total 0

Absent or not voting: Thayer.
Total 1

FIRST READING OF BILLS

The following House bill was introduced, read first time, and referred to committee:

HB 295, introduced by Harrington, Pavlovich, Menahan, Christiaens, McCormick, Krueger, Ream, Garcia, J. Hammond, Hand, Peck, Pistoria, Harp, Bachini, Vincent, Hansen, Lynch, Jacobson, Stimatz, Driscoll. Referred to Committee on Judiciary.

Senator Van Valkenburg moved that the Senate adjourn until 1:15 p.m., April 4, 1985.

Motion carried.

Senate adjourned at 2:05 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

SEVENTY-THIRD LEGISLATIVE DAY

Helena, Montana
April 4, 1985

Senate Chambers
State Capitol

Senate convened at 1:20 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Story, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journals for the seventy-first and seventy-second legislative days, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 4/1/85

Delivered to the Governor for his approval at 8:00 a.m., 4/1/85: SB 96, SB 130, SB 155, SB 188, SB 206, SB 239, SB 242, SB 246, SB 251, SB 259, SB 278, SB 294, SB 307, SB 327, SB 333, SB 341, SB 357, SB 362, SB 363, SB 384, SB 387, SB 414, SB 422, SB 454, SB 464.

Examined by the sponsor (Neuman) and found to be correct: SB 11.

4/3/85

Examined by the sponsor (Mazurek) and found to be correct: SB 91.
Examined by the sponsor (Lynch) and found to be correct: SB 99.
Examined by the sponsor (Regan) and found to be correct: SB 105.
Examined by the sponsor (Mazurek) and found to be correct: SB 184.
Examined by the sponsor (Boylan) and found to be correct: SB 249.
Examined by the sponsor (Towe) and found to be correct: SB 284.
Examined by the sponsor (Gage) and found to be correct: SB 372.
Examined by the sponsor (Manning) and found to be correct: SB 447.
Examined by the sponsor (Towe) and found to be correct: SJR 25.

Correctly enrolled: SB 11, SB 91, SB 99, SB 105, SB 184, SB 249, SB 284, SB 372, SB 447, SJR 25. 4/4/85

Report adopted.

TAXATION (Towe, Chairman): 4/4/85

HB 844, third reading copy, be amended as follows:

1. Page 2, line 10.
Following: "THE"
Strike: "SURROUNDING"
Insert: "sugar beet grower's marketing"

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 3, 1985

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 257 and 357 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 3, 1985

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 41, 96, 155, 206, 230, and 422 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The House, on 4/2/85, requested the return of SB 129 for further consideration.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 79, Governor's amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Story.
Total 1

Absent or not voting: None.
Total 0

SB 93, Governor's amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Story.
Total 1

Absent or not voting: None.
Total 0

SB 165, Governor's amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Story.
Total 1

Absent or not voting: None.
Total 0

SB 28, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Story.
Total 1

Absent or not voting: None.
Total 0

SB 89, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Story.
Total 1

Absent or not voting: None.
Total 0

SB 126, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Story.
Total 1

Absent or not voting: None.
Total 0

SB 135, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Story.
Total 1

Absent or not voting: None.
Total 0

Senator Story present at this time.

SB 152, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Halligan, Towe.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 160, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 167, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Lynch.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 214, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 233, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith,

Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 255, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Neuman.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 266, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 273, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 300, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Neuman.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 301, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 326, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.

Total 0

Absent or not voting: None.
Total 0

SB 329, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 331, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 332, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 337, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 380, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 392, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Blaylock, Mazurek.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 406, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 420, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of Senator Harding, and without objection, Senator Harding's vote on House amendments to SB 167 be recorded as yes.

At the request of Senator Weeding, and without objection, Senator Weeding's vote on House amendments to SB 255 be recorded as yes.

At the request of Senator Towe, and without objection, Senator Towe's vote on House amendments to SB 329 be recorded as yes.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Lybeck moved that the rules be temporarily suspended in order to allow for the introduction of a Senate joint resolution. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.

Total 0

Excused: None.
Total 0

Absent or not voting: Aklestad.
Total 1

Senator Van Valkenburg moved that the Senate recess, subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 1:46 p.m.

Senate reconvened at 2:13 p.m.

Senator Severson moved that consideration on House amendments to SB 33, on second reading this legislative day, be passed. Motion carried unanimously.

Senator Keating moved that HB 807 be taken from the Committee on Public Health, Welfare and Safety and that it be printed and placed on second reading on the 76th legislative day, 4/9/85. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Pinsoneault, Regan, Severson, Shaw, Smith, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 42

Noes: Himsl, Lynch, Mohar, Neuman.
Total 4

Excused: None.
Total 0

Absent or not voting: Blaylock, Goodover, Hager, Stephens.
Total 4

Senator Aklestad moved that consideration on House amendments to SB 116, on second reading this legislative day, be passed. Motion carried unanimously.

Senator Van Valkenburg moved that the Senate accede to the request of the House of Representatives for the return of SB 129. Motion carried unanimously.

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on House amendments to SB 236. Motion carried unanimously.

The President appointed the following members:

Senator Conover, Chairman
Senator Lane
Senator Smith

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on House amendments to SB 289. Motion carried unanimously.

The President appointed the following members:

Senator Blaylock, Chairman
Senator Pinsoneault
Senator Smith

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on House amendments to SB 411. Motion carried unanimously.

The President appointed the following members:

Senator Towe, Chairman
Senator Yellowtail
Senator Galt

Senator Van Valkenburg moved that the rules be temporarily suspended to allow all bills presently in the House of Representatives which were required to meet the 70th day deadline be accepted in the Senate through the 74th legislative day. Motion failed as follows:

Ayes: Bengtson, Blaylock, Boylan, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 28

Noes: Aklestad, Anderson, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 22

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Keating in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SJR 36 - That SJR 36 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.

Total 0

Absent or not voting: None.
Total 0

SB 19 - That House amendments to SB 19 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 25 - That House amendments to SB 25 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 26 - That House amendments to SB 26 be not concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 67 - That House amendments to SB 67 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 142 - That House amendments to SB 142 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Keating.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 321 - That House amendments to SB 321 be not concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.

Total 0

SB 323 - That House amendments to SB 323 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 349 - That House amendments to SB 349 be not concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 436 - That House amendments to SB 436 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Eck.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Keating moved the adoption of the committee report. Report adopted.

Senator Van Valkenburg moved that the Senate adjourn until 11:00 a.m., April 5, 1985.

Motion carried.

Senate adjourned at 3:02 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

SEVENTY-FOURTH LEGISLATIVE DAY

Helena, Montana
April 5, 1985

Senate Chambers
State Capitol

Senate convened at 11:00 a.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Farrell, Galt, Hammond, Pinsoneault, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the seventy-third legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 4/4/85

Examined by the sponsor (Haffey) and found to be correct: SB 181.
Examined by the sponsor (Towe) and found to be correct: SB 208.
Examined by the sponsor (Crippen) and found to be correct: SB 334.
Examined by the sponsor (Brown) and found to be correct: SB 340.
Examined by the sponsor (Halligan) and found to be correct: SB 343.
Examined by the sponsor (Crippen) and found to be correct: SB 350.
Examined by the sponsor (Lybeck) and found to be correct: SB 353.
Examined by the sponsor (Farrell) and found to be correct: SB 409.
Signed by the President at 12:00 p.m., 4/4/85: HB 214, HB 228, HB 259, HB 284, HB 342, HB 396, HB 419, HB 453, HB 457, HB 480, HB 496, HB 516, HB 519, HB 530, HB 560, HB 565, HB 594, HB 622, HB 627, HB 634, HB 638, HB 654, HB 665, HB 714, HB 730, HB 759, HB 760, HB 796, HB 846, HB 860, HB 875, HB 893, HJR 10, HJR 25, HJR 32, HJR 35, HJR 40.
Signed by the President at 3:00 p.m., 4/4/85: SB 11, SB 91, SB 99, SB 105, SB 184, SB 249, SB 284, SB 372, SB 447, SJR 25.
Considered correctly engrossed: SJR 36. 4/5/85
Correctly enrolled: SB 181, SB 208, SB 334, SB 340, SB 343, SB 350, SB 353, SB 409.
Delivered to the Governor for his approval at 9:00 a.m., 4/5/85: SB 81, SB 187, SB 194, SB 205, SB 224, SB 226, SB 296, SB 314, SB 450.

Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 4/5/85

Recommend that at the close of business April 5, 1985, the following employment be terminated:

Kirsten Crippen ..... Page
Carolyn Thornquist ..... Page
Paula Odegard ..... Page
Dan Ferriter ..... Page
Zun-Ying Woo ..... Page
Jennifer Gaghen ..... Page
Burton Smith ..... Page
Harry Bennett ..... Page

Report adopted.

BUSINESS AND INDUSTRY (Halligan, Chairman): 4/3/85

HB 236, third reading copy, be amended as follows:

1. Title, lines 4 through 6.
Following: "AN ACT"
Strike: remainder of title
Insert: "PROVIDING FOR LICENSING AND PLACEMENT OF ELECTRONIC VIDEO DRAW POKER MACHINES; PROVIDING FOR DISTRIBUTION OF REVENUE; PROVIDING A PENALTY PROVISION; AND PROVIDING EFFECTIVE DATES."

2. Page 1.
Strike: everything following the enacting clause
Insert: "Section 1. Short title. [Sections 1 through 11] shall be known and may be cited as the "Video Draw Poker Machine Control Law of 1985".

Section 2. Definitions. As used in [sections 1 through 11], the following definitions apply:

(1) "Department" means the department of revenue.

(2) "Licensed establishment" means an establishment that is licensed to sell alcoholic beverages for consumption on the premises.

(3) "Licensee" means an individual, partnership, or corporation that has been issued a license by the department for the placement of video draw poker machines in a licensed establishment.

(4) "Video draw poker machine" means an electronic video game machine that, upon insertion of cash, is available to play or simulate the play of the game of draw poker, as provided in [sections 1 through 11], utilizing a video display and microprocessors in which, by the skill of the player or by chance, or both, the player may receive free games or credits that can be redeemed for cash. The term does not include a machine that directly dispenses coins, cash, tokens, or anything else of value.

Section 3. Description and specifications. Each video draw poker machine must:

(1) be inspected in the state of Montana for certification and licensure by the department;

(2) be connected with a system consisting of player-operated terminals. The terminals must be intelligent devices operated by the players in the manner specified in [sections 1 through 11].

(3) not have any switches, jumpers, wire posts, or any other means of manipulation that could affect the operation or outcome of a game; and

(4) offer only the game of draw poker and have the following method of operation:

(a) the cards must be shuffled after each hand of poker is dealt;

(b) the game must have one memory location for each card in the deck. The deck must be shuffled by use of a random number generator to exchange each card in the deck with another randomly selected card.

(c) after shuffling, five cards must be dealt from the top of the deck;

(d) any discarded cards must be replaced by remaining cards in the deck, starting with the sixth card and using the cards in the order of the deck;

(e) after the first five cards of a hand have been dealt, the player must be allowed to raise his wager up to the amount of his initial ante, not to exceed eight quarters;

(f) the game must display the hands for which free games or credits will be awarded and the number of free games or credits for each hand;

(g) the machine must have doors to two locking areas, one area containing the logic board and software for the game draw poker and the other housing the cash compartment and mechanical meters. These areas must be locking and separated. Access to one from the other must not be allowed at any time.

(h) the machine must have two mechanisms, hereafter referred to as "mechanism 1" and "mechanism 2," that accept quarters;

(i) the machine must use a color display with images of cards that closely resemble standard poker playing cards;

(j) the machine must be capable of printing a ticket voucher for the player at the completion of each game. If credits are owed the player, the ticket must contain:

(i) the name of the licensed establishment;

(ii) the name of the city, town, or county in which the licensed establishment is located;

(iii) the value of the prize in numbers;

(iv) the value of the prize in words;

(v) the time of day, in hours and minutes in a 24-hour format;

(vi) the date;

(vii) the machine license number or serial number up to eight digits;

(viii) the sequential number of the ticket voucher; and

(ix) an encrypted validation number from which the validity of the prize can be determined;

(k) an exact copy of each printed ticket voucher must be printed and retained within the machine;

(l) the machine must have nonresettable mechanical meters housed in the cash compartment that keep a permanent record of:

(i) coins accepted by each coin acceptor;

(ii) credits played by player;

(iii) credits won by player; and

(iv) credits printed out by the ticket voucher printer;

(m) the machine must contain electronic metering using meters that record the following and display them on the video screen:

(i) total coins in mechanism 1, total coins in mechanism 2, and total coins in mechanisms 1 and 2 combined;

(ii) total credits, total credits played, and total credits won;

(iii) total hands of poker played and total hands of poker won;

(iv) total winning hands, consisting of a pair, two pair, three of a kind, a straight, a flush, a full house, four of a kind, a straight flush, or five of a kind;

(v) total errors from the logic board random access memory; and

(vi) total examination of electronic meters;

(n) the machine may not have any functions or parameters adjustable by or through any separate video display or input codes, except for the adjustment of features that are wholly cosmetic;

(o) the machine must issue, by activation of an external switch, an accounting ticket containing a performance synopsis of the machine. The ticket must contain:

(i) the name of the licensed establishment;

(ii) the name of the city, town, or county in which the licensed establishment is located;

(iii) the license number of the machine;

(iv) the time of day, in hours and minutes, in a 24-hour format;

(v) the date; and

(vi) the electronic meter readings required by subsection (1).

Section 4. Expected payback — verification. The department shall prescribe the expected payback value of one credit played to be at least 80% of the value of a credit. Each machine must have an electronic accounting device that the department may use to verify the winning percentage.

Section 5. Limitation on amount of money played and value of prizes. A machine may not allow more than $2 to be played on a game or award free games or credits in excess of the value of $100 per hand.

Section 6. Licensing by local governing bodies. (1) Any city, town, or county governing body may issue to a person who meets the qualifications of [section 8] a license for video draw poker machines to be used on the premises of a licensed establishment. A machine may be licensed by a city or town if located in the city or town or by the county if the machine is not located in a city or town.

(2) In addition to the license fee paid under [section 10], a governing body may charge an annual license fee for each license issued under this section. The license expires on June 30 of each year, and the fee must be prorated.

Section 7. Powers and duties of the department — licensing. (1) The department shall administer the provisions of [sections 1 through 5 and 7 through 11].

(2) The department shall adopt rules implementing [sections 1 through 5 and 7 through 11] and, with respect to state licenses:

(a) provide licensing procedures;

(b) prescribe necessary application forms; and

(c) grant or deny license applications.

(3) The department may not deny or place a condition on a license except for reasonable cause.

(4) The department is a criminal justice agency, and designated employees are granted peace officer status with powers of search, seizure, and arrest to regulate and control those persons licensed under [sections 1 through 5 and 7 through 11].

Section 8. State license qualifications — limitations — right to hearing. (1) A person who meets the requirements of 16-4-401(2) for a license to sell alcoholic beverages for consumption on the premises may be granted a license for the placement of video draw poker machines in a licensed establishment.

(2) A licensee may not make available for play on the premises of his licensed establishment more than five machines.

(3) A person denied a state license has the right to a hearing before the department. The hearing must be conducted in accordance with the provisions of the Montana Administrative Procedure Act.

Section 9. Video draw poker machines — possession — play — restriction. No person may place a video draw poker machine in his licensed establishment unless he is licensed under [section 10]. Machines licensed under [section 10] are legal, and it is legal to play such machines, except that a person under the legal age for consuming or possessing alcoholic beverages may not play a video draw poker machine. The provisions of Title 23, chapter 5, part 3, do not apply to or prohibit video draw poker machines or the playing of such machines.

Section 10. State license — fee. (1) The department of revenue, upon payment of the fee provided in subsection (2) and in conformance with rules adopted under [section 7], shall issue to the licensee a license for each video draw poker machine.

(2) The department shall charge an annual license fee of $2,000 for each machine and shall deposit 25% of the fee in the state general fund and forward 75% of the fee to the treasurer of the county or the clerk, finance officer, or treasurer of the city or town in which the licensed machine is located, for deposit to the county or municipal treasury. Counties are not entitled to proceeds from fees on licensed machines located in cities and towns. The license expires on June 30 of each year, and the fee is prorated.

Section 11. Investigations and violations. (1) The department shall make necessary investigations, suspend or revoke state licenses for violations of [sections 1 through 5 and 7 through 11], and hold hearings on such matters. A license may be suspended prior to a hearing upon a finding of danger to public health and welfare but may not be revoked until the hearing is completed.

(2) A violation of [sections 1 through 5 and 7 through 11] or a rule promulgated under [section 7] is a criminal offense, and a fine not to exceed $10,000 for the first violation and $15,000 for a subsequent violation must be imposed.

(3) If a video draw poker machine is operated in violation of [sections 1 through 5 and 7 through 11], it may be seized under 23-5-121 and the provisions of 23-5-122 apply.

(4) Employees of the department designated as enforcement agents may investigate the background of license applicants to the extent

judged necessary by the department, but no person may be investigated prior to his submission of an application for a license.

(5) Findings of suspected illegal activity must be reported to the appropriate law enforcement agency.

(6) Any peace officer of this state may arrest a person for tampering with a video draw poker machine, attempting or conspiring to manipulate the outcome or the payoff of a video draw poker machine, or manipulating the outcome or payoff of a video draw poker machine by physical tampering or other interference with the proper functioning of the machine.

Section 12. Effective dates — termination date. (1) This section and subsection (2) of section 7 are effective on passage and approval for the purpose of adoption of rules that are applicable on July 1, 1985.

(2) The remainder of this act is effective July 1, 1985."

And, as amended, be concurred in. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
HB 236

A statement of intent is required for this bill because section 7 gives the department of revenue authority to make rules to implement and regulate the licensing of electronic video draw poker machines and the distribution of the fees received from the licensing of the machines.

It is the intent of the legislature that rules be adopted to protect the health, welfare, and safety of the citizens of the state of Montana and to assure compliance with this bill.

The rules should at a minimum:

(1) ensure the integrity and security of the machines;

(2) provide a method of examining the qualifications of state license applicants and licensees;

(3) provide for investigation procedures;

(4) provide a procedure for monitoring the machines in play to assure their compliance with this bill;

(5) provide for a distinctive device that will serve as an identifying and validating mark for each machine that has been licensed and provide for a method to account for the devices;

(6) provide that no machine be made available to the public for play unless it has been duly licensed, with the fee paid and validating device attached.

FINANCE AND CLAIMS (Regan, Chairman): 4/4/85

HB 203, third reading copy, be amended as follows:

1. Page 2, line 21.
Strike: "6,255"
Insert: "57,013"

2. Page 4, line 17.
Strike: "955,000"
Insert: "1,755,000"

3. Page 4.
Following: line 18
Insert: "Rabies Vaccine 40,000 Federal & Other Special Revenue"

4. Page 5, line 24.
Strike: "11,000"
Insert: "32,750"

5. Page 6, line 2.
Strike: "$11,000"
Insert: "$32,750"

6. Page 6, line 3.
Following: "LIBRARY"
Insert: "in the amount of $11,000 and for the Montana river study in the amount of $21,750"

7. Page 7.
Following: line 10
Insert: "Aeronautics 29,890 State Special Revenue"

8. Page 8, line 8.
Strike: "$7,701,920"
Insert: "$7,731,810"

9. Page 8, line 11.
Strike: "$18,622,076"
Insert: "$19,619,584"

And, as amended, be concurred in. Report adopted.

HB 490, be concurred in. Report adopted.
HB 676, be concurred in. Report adopted.
HB 766, third reading copy, be amended as follows:

1. Title, line 14.
Following: "FUNDING"
Insert: "AND APPROPRIATION"

2. Page 3, line 15 through line 19.
Following: "(4)" on line 15
Strike: through "governor." on line 19

3. Page 3, line 25 through page 4, line 2.
Strike: line 25 on page 3 through line 2 on page 4 in their entirety

4. Page 8.
Following: line 11
Insert: "Section 9. Appropriation. All funds received in the environmental quality protection fund in the biennium ending June 30, 1987, are appropriated for the purposes described in subsection (2) of section 2."
Renumber: subsequent sections

5. Page 8, line 18 through line 23.
Strike: subsection (1) in its entirety

6. Page 8, line 24.
Strike: "(2)"

7. Page 9, line 4.
Following: "through"
Strike: "10"
Insert: "11"

And, as amended, be concurred in. Report adopted.

HB 779, third reading copy, be amended as follows:

1. Title, line 8.
Following: "AND"
Strike: "PERMANENTLY"

2. Page 2, line 10.
Following: "Section 4."
Strike: "Permanent appropriation"
Insert: "Appropriation"

3. Page 2, line 12.
Following: "account"
Insert: "in the biennium ending June 30, 1987,"

4. Page 2, lines 12 and 13.
Following: "account is"
Strike: "permanently [and statutorily]"

5. Page 2, lines 13 and 14.
Following: "appropriated"
Strike: "[as provided in Section 2 of House Bill No. 12]"

6. Page 2, lines 16 through 23.
Strike: section 5 in its entirety

And, as amended, be concurred in. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman):
4/4/85

SJR 37, do pass. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 4, 1985

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 130, 188, 239, 242, 246, 259, 278, 294, 307, 333, 341, 362, 387, 414, 454, and 464 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The House, on 3/22/85, acceded to the request of the Senate and appointed a conference committee to meet with a committee from the Senate to confer on House amendments to SB 54.

The Speaker appointed the following members:

Representative Bergene
Representative Eudaily
Representative Miles
Representative Spaeth

The House, on 3/22/85, acceded to the request of the Senate and appointed a conference committee to meet with a committee from the Senate to confer on House amendments to SB 110.

The Speaker appointed the following members:

Representative Addy
Representative Cobb
Representative Mercer
Representative Rapp-Svrcek

The House, on 3/25/85, acceded to the request of the Senate and appointed a conference committee to meet with a committee from the Senate to confer on House amendments to SB 13.

The Speaker appointed the following members:

Representative Darko
Representative Kadas
Representative Ramirez
Representative Schultz

The House, on 3/25/85, acceded to the request of the Senate and appointed a conference committee to meet with a committee from the Senate to confer on House amendments to SB 109.

The Speaker appointed the following members:

Representative Fritz
Representative Hannah
Representative Nelson
Representative Schye

The House, on 3/26/85, acceded to the request of the Senate and appointed a free conference committee to meet with a committee from the Senate to confer on House amendments to SB 140.

The Speaker appointed the following members:

Representative Darko
Representative Gilbert
Representative Gould
Representative Kadas

The House, on 3/28/85, acceded to the request of the Senate and appointed a conference committee to meet with a committee from the Senate to confer on House amendments to SB 66.

The Speaker appointed the following members:

Representative Addy
Representative Krueger
Representative Mercer
Representative Ramirez

The House, on 3/28/85, acceded to the request of the Senate and appointed a conference committee to meet with a committee from the Senate to confer on House amendments to SB 106.

The Speaker appointed the following members:

Representative Hannah
Representative Thomas
Representative Peck
Representative Rapp-Svrcek

The House, on 3/28/85, acceded to the request of the Senate and appointed a conference committee to meet with a committee from the Senate to confer on House amendments to SB 221.

The Speaker appointed the following members:

Representative Driscoll
Representative Glaser
Representative Pavlovich
Representative Schultz

Senate amendments to House bills concurred in: 4/3/85

HB 26, introduced by Switzer

HB 95, introduced by Ramirez

HB 114, introduced by Miles

HB 155, introduced by Harper, et al.

HB 184, introduced by Schye, et al.

HB 186, introduced by Pistoria

HB 187, introduced by Harper, et al.

HB 200, introduced by Waldron

HB 216, introduced by J. Moore

HB 239, introduced by Wallin, et al.

HB 260, introduced by Bardanouve

HB 263, introduced by Pistoria

HB 277, introduced by Manuel

Senate amendments to House bill not concurred in and returned to the Senate: 4/4/85

HB 127, introduced by Keyser, Gould

MOTIONS

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on House amendments to SB 349. Motion carried unanimously.

The President appointed the following members:

Senator Mazurek, Chairman
Senator Fuller
Senator Thayer

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on House amendments to SB 215. Motion carried unanimously.

The President appointed the following members:

Senator Haffey, Chairman
Senator Yellowtail
Senator Anderson

Senator Mazurek excused at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 168, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Farrell, Galt, Hammond, Mazurek, Pinsoneault.
Total 5

Absent or not voting: None.
Total 0

SB 183, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Goodover, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 41

Noes: Gage, Hager, McCallum, Mohar.
Total 4

Excused: Farrell, Galt, Hammond, Mazurek, Pinsoneault.
Total 5

Absent or not voting: None.
Total 0

SB 258, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Shaw.
Total 1

Excused: Farrell, Galt, Hammond, Mazurek, Pinsoneault.
Total 5

Absent or not voting: None.
Total 0

SB 265, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman,

Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Farrell, Galt, Hammond, Mazurek, Pinsoneault.
Total 5

Absent or not voting: None.
Total 0

SB 268, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Farrell, Galt, Hammond, Mazurek, Pinsoneault.
Total 5

Absent or not voting: None.
Total 0

SB 283, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Farrell, Galt, Hammond, Mazurek, Pinsoneault.
Total 5

Absent or not voting: None.
Total 0

SB 309, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mohar, Neuman, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 41

Noes: Goodover, Keating, McCallum, Shaw.
Total 4

Excused: Farrell, Galt, Hammond, Mazurek, Pinsoneault.

Total 5

Absent or not voting: None.
Total 0

SB 320, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Farrell, Galt, Hammond, Mazurek, Pinsoneault.
Total 5

Absent or not voting: None.
Total 0

SB 322, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Farrell, Galt, Hammond, Mazurek, Pinsoneault.
Total 5

Absent or not voting: None.
Total 0

SB 354, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Farrell, Galt, Hammond, Mazurek, Pinsoneault.
Total 5

Absent or not voting: None.
Total 0

SB 369, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Hager,

Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Boylan, Shaw.
Total 2

Excused: Farrell, Galt, Hammond, Mazurek, Pinsoneault.
Total 5

Absent or not voting: None.
Total 0

SB 371, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: None.
Total 0

Excused: Farrell, Galt, Hammond, Mazurek, Pinsoneault.
Total 5

Absent or not voting: Brown.
Total 1

SB 375, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: None.
Total 0

Excused: Farrell, Galt, Hammond, Mazurek, Pinsoneault.
Total 5

Absent or not voting: Himsl.
Total 1

SB 402, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.

Total 0

Excused: Farrell, Galt, Hammond, Mazurek, Pinsoneault.
Total 5

Absent or not voting: None.
Total 0

SB 412, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Farrell, Galt, Hammond, Mazurek, Pinsoneault.
Total 5

Absent or not voting: None.
Total 0

SB 438, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Farrell, Galt, Hammond, Mazurek, Pinsoneault.
Total 5

Absent or not voting: None.
Total 0

SB 451, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Farrell, Galt, Hammond, Mazurek, Pinsoneault.
Total 5

Absent or not voting: None.
Total 0

At the request of Senator Fuller, and without objection, Senator Fuller's vote on House amendments to SB 183 be recorded as yes.

At the request of Senator Lynch, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Lynch moved that the rules be temporarily suspended in order to allow the following names to be added to the list of sponsors of SB 19: Hansen, J. Brown, Connelly, Kadas, Ream, Miles, Cohen, Keenan, Quilici, Krueger, Raney, Darko, Harbin, Pavlovich, Hart, Montayne. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Boylan, Himsl.
Total 2

Excused: Farrell, Galt, Hammond, Mazurek, Pinsoneault.
Total 5

Absent or not voting: None.
Total 0

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Bengtson in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 33 - That House amendments to SB 33 be not concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Farrell, Galt, Hammond, Mazurek, Pinsoneault.
Total 5

Absent or not voting: None.
Total 0

SB 116 - That House amendments to SB 116 be concurred in. Senator Thayer made a substitute motion that House amendments to SB 116 be not concurred in. Substitute motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Eck, Fuller, Goodover, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Lybeck, Lynch, Manning, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Weeding, Williams, Yellowtail.
Total 33

Noes: Aklestad, Daniels, Gage, Haffey, Kolstad, Lane, McCallum, Towe, Van Valkenburg.
Total 9

Excused: Farrell, Galt, Hammond, Mazurek, Pinsoneault.
Total 5

Absent or not voting: Brown, Stimatz, Mr. President.
Total 3

SB 325 - That House amendments to SB 325 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Farrell, Galt, Hammond, Mazurek, Pinsoneault.
Total 5

Absent or not voting: None.
Total 0

SB 652 - That House amendments to SB 652 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Farrell, Galt, Hammond, Mazurek, Pinsoneault.
Total 5

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Bengtson moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on House amendments to SB 26. Motion carried unanimously.

The President appointed the following members:

Senator Towe, Chairman
Senator Yellowtail
Senator Gage

Senator Van Valkenburg moved that the rules be temporarily suspended to allow all bills presented in the House of Representatives which were required to meet the 70th day deadline be accepted in the Senate through the 75th legislative day. Motion failed as follows:

Ayes: Bengtson, Blaylock, Boylan, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 28

Noes: Aklestad, Anderson, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 22

Paired: Christiaens, Mazurek, Neuman, Pinsoneault, Van Valkenburg, Ayes; Crippen, Farrell, Galt, Hammond, McCallum, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Thayer moved that the President be empowered to appoint a free conference committee to meet with a committee from the House of Representatives to confer on SB 116. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Van Valkenburg.
Total 1

Excused: Farrell, Galt, Hammond, Mazurek, Pinsoneault.
Total 5

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the Senate adjourn until 1:30 p.m., April 8, 1985.

Motion carried.

Senate adjourned at 12:20 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

SEVENTY-FIFTH LEGISLATIVE DAY

Helena, Montana
April 8, 1985

Senate Chambers
State Capitol

Senate convened at 1:30 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Aklestad, Neuman, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the seventy-fourth legislative day, find the same to be correct.

Manning, Chairman

COMMUNICATIONS AND PETITIONS

Dear Montana State Senators,

Thank you for the lovely basket of glads and carnations sent to John. We appreciate your thoughtfulness, John was happy in the Montana Senate.

John Manley family

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 4/4/85
Examined by the sponsor (Fuller) and found to be correct: SB 281.
Examined by the sponsor (Haffey) and found to be correct: SB 12.
4/5/85
Examined by the sponsor (Towe) and found to be correct: SB 55.
Examined by the sponsor (Conover) and found to be correct: SB 57.
Examined by the sponsor (Aklestad) and found to be correct: SB 88.
Examined by the sponsor (Lynch) and found to be correct: SB 95.
Examined by the sponsor (Towe) and found to be correct: SB 156.
Examined by the sponsor (Boylan) and found to be correct: SB 229.
Examined by the sponsor (Smith) and found to be correct: SB 234.
Examined by the sponsor (Daniels) and found to be correct: SB 247.
Examined by the sponsor (Blaylock) and found to be correct: SB 308.
Examined by the sponsor (Hirsch) and found to be correct: SB 316.
Examined by the sponsor (Crippen) and found to be correct: SB 385.
Examined by the sponsor (Crippen) and found to be correct: SB 399.
Examined by the sponsor (Thayer) and found to be correct: SB 408.
Examined by the sponsor (Harding) and found to be correct: SB 415.
Examined by the sponsor (Halligan) and found to be correct: SB 423.
Examined by the sponsor (Norman) and found to be correct: SB 433.
Examined by the sponsor (Williams) and found to be correct: SB 440.
Examined by the sponsor (Fuller) and found to be correct: SB 461.
Examined by the sponsor (Weeding) and found to be correct: SJR 29.
Examined by the sponsor (Christiaens) and found to be correct: SJR 30.
Signed by the President at 12:00 p.m., 4/5/85: SB 181, SB 208, SB 334, SB 340, SB 343, SB 350, SB 353, SB 409.
Correctly printed and placed on the members' desks: SJR 37. 4/8/85
Correctly enrolled: SB 12, SB 55, SB 57, SB 88, SB 95, SB 156, SB 229, SB 234, SB 247, SB 281, SB 308, SB 316, SB 385, SB 399, SB 408, SB 415, SB 423, SB 433, SB 440, SB 461, SJR 29, SJR 30.

Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 4/8/85

Recommend that at the beginning of business April 8, 1985, the following be employed:

Joan Steinbeisser ..... Page
Janet Steinbeisser ..... Page
Rebecca Court ..... Page
Vincent Micone ..... Page
Jennifer Ryan ..... Page
Suzanne Solomon ..... Page
Lisa Lemire ..... Page

STATE ADMINISTRATION (Haffey, Chairman): 3/22/85

Having had under consideration the Governor's appointments of the following members of the Board of Aeronautics:

John A. Wall, Helena, Montana, appointed for a term ending January 1, 1987
Brad DeZort, Fairfield, Montana, appointed for a term ending January 2, 1989
Fred Lark, Lewistown, Montana, appointed for a term ending January 2, 1989
Theodore E. Mathis, Belgrade, Montana, appointed for a term ending January 2, 1989
Jim McLean, Bozeman, Montana, appointed for a term ending January 2, 1989
Robert A. Worthington, Great Falls, Montana, appointed for a term ending January 2, 1989

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Agricultural Loan Authority:

Dennis L. DeVries, Polson, Montana, appointed for a term ending January 1, 1987
C. David Gorton, Billings, Montana, appointed for a term ending January 1, 1987
Bernard J. Harkness, Dell, Montana, appointed for a term ending January 7, 1989
Keith Kelly, Helena, Montana, appointed for a term ending January 7, 1989
Terry Murphy, Great Falls, Montana, appointed for a term ending January 1, 1987
Paul T. Ringling, Miles City, Montana, appointed for a term ending January 1, 1987
Harry J. Rodenberg, Wolf Point, Montana, appointed for a term ending January 7, 1989
Dixie R. Halverson, Scobey, Montana, appointed for a term ending January 2, 1989
Dennis Robinson, Lewistown, Montana, appointed for a term ending January 2, 1989

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointment of the following member of the Board of Architects:

George C. Page, Great Falls, Montana, appointed for a term ending March 27, 1987

Respectfully report as follows:

That said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Montana Arts Council:

Sonia Hoffman, Helena, Montana, appointed for a term ending February 1, 1988
Janice M. Snow, Missoula, Montana, appointed for a term ending February 1, 1990

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Athletics:

Gene B. Daly, Helena, Montana, appointed for a term ending April 25, 1986
Dr. John R. Halseth, Great Falls, Montana, appointed for a term ending April 25, 1986
John M. Svaldi, Butte, Montana, appointed for a term ending April 25, 1986

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

TAXATION (Towe, Chairman): 4/5/85
HB 279, be concurred in. Report adopted.
HB 425, be concurred in. Report adopted.
HB 625, third reading copy, be amended as follows:

1. Title, line 6.
Following: "DISTRICTS;"
Insert: "REVISING THE METHOD OF MEASURING PROTEST VOTES;"
Following: "SECTIONS"
Insert: "7-12-4407,"

2. Page 3.
Following: line 25
Insert: "Section 5. Section 7-12-4407, MCA, is amended to read:

"7-12-4407. Protest against ordinance for improvements. If ~~40% or more of the abutting property owners protest in writing to said city~~

~~or town council against the passage of said proposed ordinance~~ a written protest against passage of the proposed ordinance is filed by owners of property within the proposed maintenance district having a taxable valuation, when aggregated, representing not less than 50% of the total taxable valuation of property within the district or a written protest against passage of the proposed ordinance is filed by not less than 50% of the owners of property within the district, then no further action shall be taken upon the proposed district for 1 year.""

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

HB 815, third reading copy, be amended as follows:

1. Page 2.
Strike: line 15 in its entirety

2. Page 2, line 17.
Following: "or "
Insert: "(specify an amount)"
Following: "~~$10~~"
Strike: "$20"

3. Page 2, line 21.
Following: "or "
Insert: "(specify an amount)"
Following: "~~$10~~"
Strike: "$20"

And, as amended, be concurred in. Report adopted.

Adverse Committee Reports

TAXATION (Towe, Chairman): 4/5/85

HB 845, be not concurred in. Adverse committee report adopted as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Eck, Hammond, Hirsch, Lybeck.
Total 4

Excused: Aklestad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SPECIAL ORDERS OF THE DAY

The Acappella Chorus of the Western Christian College from Weyburn, Saskatchewan sang for the Senate.

Senator Neuman present at this time.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 4.

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 5, 1985

Dear Mr. President:

This is to inform you that I have signed Senate Bill No. 327 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate amendments to House bills concurred in: 4/5/85

HB 101, introduced by D. Brown

HB 121, introduced by Nathe

HB 160, introduced by Grady, et al.

HB 183, introduced by Ellerd, et al.

HB 235, introduced by Peck, et al.

HB 293, introduced by Bardanouve

HB 298, introduced by Eudaily, et al.

HB 317, introduced by Williams

HB 323, introduced by J.K. Moore, et al.

HB 331, introduced by Quilici, et al.

HB 333, introduced by Bradley, et al.

HB 338, introduced by Addy, et al.

HB 340, introduced by Ramirez, Garcia

HB 341, introduced by Miller

HB 346, introduced by Gilbert, Schye

HB 354, introduced by Brandewie, et al.

HB 358, introduced by Kadas, et al.

HB 363, introduced by Marks

Senate amendments to House bills concurred in: 4/8/85

HB 310, introduced by Waldron

HB 389, introduced by Eudaily

HB 412, introduced by Hayne

HB 420, introduced by Schye, et al.

HB 423, introduced by Gilbert, et al.

HB 424, introduced by Howe

HB 426, introduced by Spaeth

HB 436, introduced by Lory

HB 439, introduced by J. Brown, Bergene

HB 440, introduced by J. Brown, et al.

HB 441, introduced by J. Brown, et al.

HB 443, introduced by J. Brown, et al.

HB 445, introduced by J. Brown, Christiaens

HB 454, introduced by Jenkins, Grady

HB 460, introduced by Thomas, Simon

HB 462, introduced by Donaldson, et al.

HB 474, introduced by Pavlovich, et al.

HB 475, introduced by Manuel, Peck

HB 483, introduced by Spaeth

HB 488, introduced by Iverson, et al.

HB 489, introduced by Waldron

HB 497, introduced by Koehnke, et al.

HB 506, introduced by Harper, et al.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SJR 36 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Aklestad.
Total 1

Absent or not voting: None.
Total 0

SB 19, House amendments, concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 48

Noes: Keating.
Total 1

Excused: Aklestad.
Total 1

Absent or not voting: None.
Total 0

SB 25, House amendments, concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Boylan.
Total 1

Excused: Aklestad.
Total 1

Absent or not voting: None.
Total 0

SB 67, House amendments, concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Aklestad.
Total 1

Absent or not voting: None.
Total 0

SB 142, House amendments, concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Stephens, Stimatz, Story, Thayer, Towe, Weeding, Williams, Yellowtail, Mr. President.
Total 37

Noes: Boylan, Daniels, Goodover, Hammond, Keating, McCallum, Neuman, Severson, Shaw, Smith, Tveit, Van Valkenburg.
Total 12

Excused: Aklestad.

Total 1

Absent or not voting: None.
Total 0

SB 323, House amendments, concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Aklestad.
Total 1

Absent or not voting: None.
Total 0

SB 436, House amendments, concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Eck, Hirsch, Van Valkenburg.
Total 3

Excused: Aklestad.
Total 1

Absent or not voting: None.
Total 0

At the request of Senator Weeding, and without objection, Senator Weeding's vote on SB 436 be recorded as yes.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate recess, subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 2:04 p.m.

Senate reconvened at 3:02 p.m.

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman April 8, 1985
President of the Senate
State Capitol
Helena, Montana 59620

Dear Mr. President:

This is to inform you that I have signed Senate Bill No. 314 on this date.

Sincerely,

Ted Schwinden
Governor

MOTIONS

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on House amendments to SB 427. Motion carried unanimously.

The President appointed the following members:

Senator Manning, Chairman
Senator Lybeck
Senator Harding

Senator Galt moved that the rules be temporarily suspended in order to allow for the introduction of a bill. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Aklestad.
Total 1

Absent or not voting: Smith.
Total 1

Senator Mazurek moved that the rules be temporarily suspended in order to allow for the introduction of a Senate joint resolution. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Aklestad.
Total 1

Absent or not voting: Smith.
Total 1

Senator Towe moved that HB 652 be taken from third reading and that it be placed on second reading. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 40

Noes: Goodover, Hammond, Kolstad, Mohar, Shaw, Thayer, Tveit.
Total 7

Excused: Aklestad.
Total 1

Absent or not voting: Lane, Smith.
Total 2

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SJR 38, introduced by H. Hammond, E. Smith. Referred to Committee on Highways and Transportation.

SJR 39, introduced by Haffey, Lynch, Menahan, Keenan. Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Hammond in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 431 - That House amendments to SB 431 be not concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 39

Noes: Hammond, Keating.
Total 2

Excused: Aklestad.
Total 1

Absent or not voting: Christiaens, Galt, Haffey, Mohar, Smith, Story, Tveit, Mr. President.
Total 8

HB 236 - At the request of Senator Lynch, and without objection, HB 236 be moved to the bottom of the board.

HB 844 - That HB 844 be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Boylan, Brown, Conover, Crippen, Eck, Farrell, Gage, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Kolstad, Lane, Lynch, McCallum, Mohar, Regan, Severson, Shaw, Smith, Stimatz, Story, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 33

Noes: Blaylock, Christiaens, Daniels, Fuller, Goodover, Jacobson, Keating, Lybeck, Manning, Mazurek, Neuman, Pinsoneault, Stephens, Thayer, Van Valkenburg.
Total 15

Excused: Aklestad.
Total 1

Absent or not voting: Galt.
Total 1

HB 236 - That HB 236, Senate Business and Industry Committee Report of 4/3/85, be amended as follows:

1. Page 6, section 10(2).
Following: "deposit" on line 2
Strike: "25%"
Insert: "50%"
Following: "forward" on line 3
Strike: "75%"
Insert: "50%"

Amendment failed as follows:

Ayes: Bengtson, Blaylock, Conover, Daniels, Farrell, Fuller, Haffey, Halligan, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Regan, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 21

Noes: Anderson, Boylan, Brown, Christiaens, Crippen, Eck, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Weeding.
Total 28

Excused: Aklestad.
Total 1

Absent or not voting: None.
Total 0

That HB 236, Senate Business and Industry Committee report of 4/3/85, be further amended as follows:

1. Page 5, section 6.
Following: subsection (2)
Insert: "(3) Such license fee may not exceed $500."

Amendment passed as follows:

Ayes: Anderson, Blaylock, Christiaens, Conover, Farrell, Fuller, Haffey, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Pinsoneault, Regan, Stephens, Stimatz, Story, Van Valkenburg, Williams, Mr. President.
Total 26

Noes: Bengtson, Boylan, Brown, Crippen, Daniels, Eck, Gage, Goodover, Hager, Halligan, Hammond, Harding, Mazurek, Neuman, Severson, Shaw, Smith, Thayer, Towe, Tveit, Weeding, Yellowtail.

Total 22

Excused: Aklestad.
Total 1

Absent or not voting: Galt.
Total 1

That HB 236, Senate Business and Industry Committee report of 4/3/85, be further amended as follows:

1. Page 5, section 8(2) of inserted material.
Following: "may not"
Insert: "have on the premises or"

2. Page 6, section 9 of inserted material.
Following: "may place"
Strike: "a video draw poker machine"
Insert: "an electronic video game machine that simulates or offers a game of poker"

Amendment passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 41

Noes: Brown, Hager, Hammond, Harding, Himsl, Kolstad, Smith, Stephens.
Total 8

Excused: Aklestad.
Total 1

Absent or not voting: None.
Total 0

That HB 236, as amended, be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Boylan, Christiaens, Daniels, Farrell, Fuller, Galt, Goodover, Haffey, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Pinsoneault, Severson, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Williams, Mr. President.
Total 29

Noes: Blaylock, Brown, Conover, Crippen, Eck, Gage, Hager, Halligan, Hammond, Harding, Himsl, Lybeck, Mohar, Neuman, Regan, Shaw, Smith, Towe, Weeding, Yellowtail.
Total 20

Excused: Aklestad.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the

Chair. Chairman Hammond moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 5.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 4/5/85

HB 928, introduced by Thoft, Bardanouve

HB 938, introduced by Thoft, Bardanouve

Senate amendments to House bills concurred in: 4/5/85

HB 517, introduced by Hansen, et al.

HB 522, introduced by Peck, Sands

HB 523, introduced by Raney, et al.

HB 529, introduced by Addy

HB 541, introduced by Darko, D. Brown

HB 550, introduced by J. Brown, et al.

HB 551, introduced by Rehberg

HB 558, introduced by Rehberg, Hannah

HB 563, introduced by Miller

HB 567, introduced by Schultz, et al.

HB 571, introduced by Bergene, et al.

HB 574, introduced by Thomas, Quilici

HB 577, introduced by Bradley, et al.

HB 579, introduced by Winslow

HB 596, introduced by Donaldson

HB 611, introduced by Devlin, et al.

HB 621, introduced by Holliday, et al.

HB 631, introduced by Keyser, et al.

HB 646, introduced by Rapp-Svrcek

HB 649, introduced by J.K. Moore, et al.

HB 673, introduced by Kadas

HB 700, introduced by Mercer

HB 706, introduced by Mercer, et al.

HB 710, introduced by Kadas

HB 711, introduced by Cohen, et al.

House bills passed and transmitted to the Senate for concurrence: 4/8/85

HB 861, introduced by Bardanouve, Thoft

HB 947, introduced by Bardanouve, et al.

MOTIONS

Senator Van Valkenburg moved that the rules be temporarily suspended for the purpose of extending the transmittal deadline of HB 922 from the 75th legislative day through, and including, the 78th legislative day. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Gage, Goodover, Himsl, Shaw.
Total 4

Excused: Aklestad.
Total 1

Absent or not voting: None.
Total 0

SPECIAL ORDERS OF THE DAY

Senator Haffey moved the appointment of:

John A. Wall, Helena, Montana, appointed for a term ending January 1, 1987;

Brad DeZort, Fairfield, Montana, appointed for a term ending January 2, 1989;

Fred Lark, Lewistown, Montana, appointed for a term ending January 2, 1989;

Theodore E. Mathis, Belgrade, Montana, appointed for a term ending January 2, 1989;

Jim McLean, Bozeman, Montana, appointed for a term ending January 2, 1989;

Robert A. Worthington, Great Falls, Montana, appointed for a term ending January 2, 1989;

as members of the Board of Aeronautics be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Goodover.
Total 1

Excused: Aklestad.
Total 1

Absent or not voting: Smith.
Total 1

Senator Haffey moved the appointment of:

Dennis L. DeVries, Polson, Montana, appointed for a term ending January 1, 1987;

C. David Gorton, Billings, Montana, appointed for a term ending January 1, 1987;

Bernard J. Harkness, Dell, Montana, appointed for a term ending January 7, 1989;

Keith Kelly, Helena, Montana, appointed for a term ending January 7, 1989;

Terry Murphy, Great Falls, Montana, appointed for a term ending January 1, 1987;

Paul T. Ringling, Miles City, Montana, appointed for a term ending January 1, 1987;

Harry J. Rodenberg, Wolf Point, Montana, appointed for a term ending January 7, 1989;

Dixie R. Halverson, Scobey, Montana, appointed for a term ending January 2, 1989;

Dennis Robinson, Lewistown, Montana, appointed for a term ending January 2, 1989;

as members of the Agricultural Loan Authority be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Hager.
Total 1

Excused: Aklestad.
Total 1

Absent or not voting: Mohar.
Total 1

Senator Haffey moved the appointment of:

George C. Page, Great Falls, Montana, appointed for a term ending March 27, 1987;

as a member of the Board of Architects be concurred in and the Senate Resolution of such confirmation be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Aklestad.
Total 1

Absent or not voting: Mohar.
Total 1

Senator Haffey moved the appointment of:

Sonia Hoffman, Helena, Montana, appointed for a term ending February 1, 1988;
Janice M. Snow, Missoula, Montana, appointed for a term ending February 1, 1990;

as members of the Montana Arts Council be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Aklestad.
Total 1

Absent or not voting: Mohar.
Total 1

Senator Haffey moved the appointment of:

Gene B. Daly, Helena, Montana, appointed for a term ending April 25, 1986;
Dr. John R. Halseth, Great Falls, Montana, appointed for a term ending April 25, 1986;
John M. Svaldi, Butte, Montana, appointed for a term ending April 25, 1986;

as members of the Board of Athletics be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Aklestad.
Total 1

Absent or not voting: Mohar, Smith.

Total 2

Senator Van Valkenburg moved that the Senate adjourn until 1:30 p.m., April 9, 1985.

Motion carried.

Senate adjourned at 5:13 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

SEVENTY-SIXTH LEGISLATIVE DAY

Helena, Montana
April 9, 1985

Senate Chambers
State Capitol

Senate convened at 1:34 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Aklestad, Neuman, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the seventy-fifth legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 4/8/85

Signed by the President at 2:00 p.m., 4/8/85: SB 12, SB 55, SB 57, SB 88, SB 95, SB 156, SB 229, SB 234, SB 247, SB 281, SB 308, SB 316, SB 385, SB 399, SB 408, SB 415, SB 423, SB 433, SB 440, SB 461, SJR 29, SJR 30, HB 185, HB 282, HB 315, HB 332, HB 352, HB 354, HB 442, HB 472, HB 491, HB 492, HB 520, HB 670, HB 683, HB 687, HB 721, HB 747, HB 764, HB 818, HB 858, HB 884, HB 921, HJR 19, HJR 22, HJR 23, HJR 36.

Signed by the President at 4:30 p.m., 4/8/85: HB 26, HB 155, HB 184, HB 186, HB 187, HB 200, HB 216, HB 239, HB 260, HB 263, HB 277, HB 531.

Delivered to the Governor for his approval at 11:30 a.m., 4/8/85: SB 11, SB 91, SB 99, SB 105, SB 184, SB 249, SB 284, SB 372, SB 447.

Delivered to the Governor for his approval at 2:30 p.m., 4/8/85: SB 181, SB 208, SB 334, SB 340, SB 343, SB 350, SB 353, SB 409.

Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 4/9/85

Recommend that at the beginning of business April 8, 1985, the following be employed:

Bronwyn Price .....Page

RULES (Van Valkenburg, Chairman): 4/9/85

Recommend that the Senate suspend the rules to accept HB 945 for consideration.

STATE ADMINISTRATION (Haffey, Chairman): 3/22/85

Having had under consideration the Governor's appointments of the following members of the State Banking Board:

John S. Cote, Butte, Montana, appointed for a term ending July 1, 1987

Earl W. Johnson, Helena, Montana, appointed for a term ending July 1, 1986

D.E. Olsson, Ronan, Montana, appointed for a term ending July 1, 1987

Rudy Tramelli, Great Falls, Montana, appointed for a term ending July 1, 1986

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Barbers:

Richard L. Riley, Great Falls, Montana, appointed for a term ending July 1, 1987
Lawrence M. Sandretto, Red Lodge, Montana, appointed for a term ending July 1, 1986

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Chiropractors:

R.G. Glatz, Winnett, Montana, appointed for a term ending October 6, 1987
Dr. C.R. Grow, Wolf Point, Montana, appointed for a term ending January 9, 1987
Dr. Roger E. Combs, Libby, Montana, appointed for a term ending January 9, 1988

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Cosmetologists:

Dorothy Turner, Great Falls, Montana, appointed for a term ending July 1, 1987
H. Dudley Williams, Helena, Montana, appointed for a term ending July 1, 1988

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Crime Control:

Dr. Gordon Browder, Missoula, Montana, appointed for a term ending January 2, 1989
J.G. Gottfried, Sweetgrass, Montana, appointed for a term ending January 2, 1989
Harold Hanser, Billings, Montana, appointed for a term ending January 2, 1989
Pedro Hernandez, Billings, Montana, appointed for a term ending January 2, 1989
Matt A. Himsl, Kalispell, Montana, appointed for a term ending January 1, 1987
Ellis Gene Kiser, Billings, Montana, appointed for a term ending January 2, 1989

Rex Manuel, Fairfield, Montana, appointed for a term ending January 2, 1989
Thomas M. McKittrick, Great Falls, Montana, appointed for a term ending January 2, 1989
Glenn Osborne, Great Falls, Montana, appointed for a term ending January 2, 1989
Dr. John Pfaff, Great Falls, Montana, appointed for a term ending January 2, 1989
Kenneth Rustad, Baker, Montana, appointed for a term ending January 2, 1989
Carroll South, Helena, Montana, appointed for a term ending January 2, 1989
Honorable J.A. Turnage, Helena, Montana, appointed for a term ending January 2, 1989

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Dentistry:

Jeannette S. Buchanan, Columbia Falls, Montana, appointed for a term ending July 1, 1989
Dr. Robert W. Fritz, Helena, Montana, appointed for a term ending March 29, 1989

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Denturitry: 3/8/85

Elsie Fox, Miles City, Montana, appointed for a term ending January 11, 1987
Ronald B. Kandarian, Kalispell, Montana, appointed for a term ending January 11, 1987
Henry Siderius, Kalispell, Montana, appointed for a term ending January 11, 1988
Everett Vanden Eeden, Billings, Montana, appointed for a term ending January 11, 1986
Lee M. Wiser, Livingston, Montana, appointed for a term ending January 11, 1988

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate amendments to House bills concurred in: 4/8/85

HB 639, introduced by Nathe

HB 724, introduced by Sands, Vincent

HB 739, introduced by Iverson, et al.

HB 743, introduced by Miller

HB 750, introduced by Bardanouve

HB 763, introduced by Menahan, et al.

HB 770, introduced by Ream, et al.

HB 774, introduced by Driscoll, et al.

HB 778, introduced by Spaeth, et al.

HB 788, introduced by Simon, et al.

HB 791, introduced by Brandewie

HB 798, introduced by Miles, Krueger

HB 801, introduced by Jenkins, et al.

HB 817, introduced by Kitselman, et al.

HB 820, introduced by Rapp-Svrcek, et al.

HB 837, introduced by Pavlovich

HB 853, introduced by Krueger, et al.

HB 859, introduced by Ramirez, Hand

HB 864, introduced by Fritz, Hannah

HB 871, introduced by J. Brown, et al.

HB 889, introduced by M. Williams, et al.

HB 891, introduced by Addy, et al.

HB 894, introduced by Sands, et al.

HB 896, introduced by Iverson

HB 911, introduced by Hannah, D. Brown

HB 912, introduced by D. Brown, et al.

HJR 21, introduced by Fritz, et al.

HJR 28, introduced by Rapp-Svrcek, et al.

HJR 33, introduced by Bardanouve

HJR 37, introduced by Hannah, D. Brown

The House, on 4/9/85, failed to concur in Senate amendments to HB 265 and appointed a conference committee, requesting that the Senate appoint a committee to confer on Senate amendments to HB 265.

The Speaker appointed the following members:

Representative Keyser
Representative Krueger
Representative Mercer
Representative Ream

The House, on 4/9/85, acceded to the request of the Senate and appointed a conference committee to meet with a committee from the Senate to confer on House amendments to SB 26.

The Speaker appointed the following members:

Representative Brown
Representative Hanson
Representative Kennerly
Representative Mercer

The House, on 4/9/85, acceded to the request of the Senate and appointed a conference committee to meet with a committee from the Senate to confer on House amendments to SB 215.

The Speaker appointed the following members:

Representative Addy
Representative Harper
Representative Ramirez
Representative Thomas

The House, on 4/9/85, acceded to the request of the Senate and appointed a conference committee to meet with a committee from the Senate to confer on House amendments to SB 236.

The Speaker appointed the following members:

Representative Bardanouve
Representative Howe
Representative Ramirez
Representative Rehberg

The House, on 4/9/85, acceded to the request of the Senate and appointed a conference committee to meet with a committee from the Senate to confer on House amendments to SB 289.

The Speaker appointed the following members:

Representative Hannah
Representative Harrington
Representative Nelson
Representative Peck

The House, on 4/9/85, acceded to the request of the Senate and appointed a conference committee to meet with a committee from the Senate to confer on House amendments to SB 411.

The Speaker appointed the following members:

Representative Bradley
Representative Cobb
Representative Eudaily
Representative Keenan

The House, on 4/9/85, acceded to the request of the Senate and appointed a conference committee to meet with a committee from the Senate to confer on House amendments to SB 416.

The Speaker appointed the following members:

Representative Brandewie
Representative Harbin
Representative Sales
Representative Schye

The House, on 4/9/85, acceded to the request of the Senate and appointed a free conference committee to meet with a committee from the Senate to confer on SB 349.

The Speaker appointed the following members:

Representative Harbin
Representative Kadas
Representative Kitselman
Representative Simon

MOTIONS

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on House amendments to SB 321. Motion carried unanimously.

The President appointed the following members:

Senator Fuller, Chairman
Senator Mazurek
Senator Brown

Senator Van Valkenburg moved that the Senate accede to the request of the House to appoint a conference committee to meet with a committee from the House of Representatives to confer on Senate amendments to HB 923. Motion carried unanimously.

The President appointed the following members:

Senator Norman, Chairman
Senator Van Valkenburg
Senator Stephens

Senator Van Valkenburg moved that the Senate accede to the request of the House to appoint a conference committee to meet with a committee from the House of Representatives to confer on Senate amendments to HB 265. Motion carried unanimously.

The President appointed the following members:

Senator Van Valkenburg, Chairman
Senator Yellowtail
Senator Galt

Senator Van Valkenburg moved that the rules be temporarily suspended for the purpose of receiving and accepting HB 945. Motion carried as follows:

Ayes: Anderson, Bengtson, Boylan, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Haffey, Halligan, Hammond, Jacobson, Kolstad, Lane, Lynch, Manning, McCallum, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 32

Noes: Blaylock, Brown, Eck, Gage, Galt, Goodover, Hager, Harding, Himsl, Hirsch, Keating, Lybeck, Mazurek, Mohar, Shaw, Yellowtail.
Total 16

Excused: Aklestad, Neuman.
Total 2

Absent or not voting: None.
Total 0

Senator Regan moved that HB 203, on second reading this legislative day, be moved below HB 807. Motion carried unanimously.

FIRST READING OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 861, introduced by Bardanouve, Thoft, (By Request of the Department of Administration). Referred to Committee on Finance and Claims.

HB 928, introduced by Thoft, Bardanouve, (By Request of the Department of Administration). Referred to Committee on Finance and Claims.

HB 938, introduced by Thoft, Bardanouve, (By Request of the House Appropriations Committee). Referred to Committee on Finance and Claims.

HB 947, introduced by Bardanouve, Thoft, Schye, Ernst, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Finance and Claims.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 325, House amendments, concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Stephens, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Goodover, Shaw, Smith, Story, Tveit.
Total 5

Excused: Aklestad, Neuman.
Total 2

Absent or not voting: None.
Total 0

SB 10, being a Constitutional amendment, failed as follows:

Ayes: Bengtson, Christiaens, Crippen, Daniels, Eck, Fuller, Haffey, Hager, Halligan, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mohar, Neuman, Pinsoneault, Regan, Severson, Stephens, Thayer, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 28

Noes: Aklestad, Anderson, Blaylock, Boylan, Brown, Conover, Farrell, Gage, Galt, Goodover, Hammond, Harding, Himsl, Hirsch, Mazurek, McCallum, Shaw, Smith, Stimatz, Story, Tveit, Williams.
Total 22

Paired: Christiaens, Neuman, Ayes; Aklestad, Himsl, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Towe in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SJR 37 - That SJR 37 do pass. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Aklestad, Neuman.
Total 2

Absent or not voting: None.
Total 0

HB 490 - That HB 490 be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Shaw.
Total 1

Excused: Aklestad, Neuman.
Total 2

Absent or not voting: None.
Total 0

Senator Lynch in the Chair.

HB 652 - That HB 652, reference bill, be amended as follows:

1. Page 5, line 16.
Following: "minerals,"
Insert: "for the cost of reclamation at the site of the mine,"

2. Page 5.
Following: line 19
Strike: subsection (i) in its entirety

Amendment passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning,

Mazurek, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 26

Noes: Crippen, Farrell, Gage, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, Mohar, Severson, Shaw, Stephens, Tveit.
Total 15

Excused: Aklestad, Neuman.
Total 2

Absent or not voting: Boylan, Brown, Galt, McCallum, Smith, Story, Thayer.
Total 7

That HB 652, as amended, be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Aklestad, Neuman.
Total 2

Absent or not voting: None.
Total 0

HB 676 - That HB 676 be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Goodover, Haffey, Halligan, Harding, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Stephens, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 32

Noes: Boylan, Farrell, Gage, Galt, Hager, Hammond, Himsl, Hirsch, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Thayer, Tveit.
Total 16

Excused: Aklestad, Neuman.
Total 2

Absent or not voting: None.
Total 0

Senator Towe in the Chair.

HB 766 - That HB 766, third reading copy, be amended as follows:

1. Page 3, line 9.
Following: "[section 6];"
Strike: "and"

2. Page 3.
Following: line 9

Insert: "(b) funds appropriated to the fund by the legislature; [and"
Strike: "[(b)"
Insert: "(c)"

3. Page 8, line 24.
Following: "2(3)"
Strike: "(b)"
Insert: "(c)"

Amendment passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Keating.
Total 1

Excused: Aklestad, Neuman.
Total 2

Absent or not voting: None.
Total 0

That HB 766, as amended, be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Halligan, Harding, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Stephens, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 34

Noes: Boylan, Farrell, Galt, Hager, Hammond, Himsl, Keating, Severson, Shaw, Smith, Thayer, Tveit.
Total 12

Excused: Aklestad, Neuman.
Total 2

Absent or not voting: Kolstad, Stimatz.
Total 2

HB 779 - That HB 779 be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Aklestad, Neuman.
Total 2

Absent or not voting: None.
Total 0

HB 807 - That HB 807 be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Aklestad, Neuman.
Total 2

Absent or not voting: None.
Total 0

HB 203 - That HB 203, third reading copy, be amended as follows:

1. Page 7.
Following: line 10
Insert: "DEPARTMENT OF MILITARY AFFAIRS

Army National Guard	85,000	Federal & Other Special Revenue"

2. Page 8, line 11.
Strike: "$18,622,076"
Insert: "$18,707,076"

Amendment passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Aklestad, Neuman.
Total 2

Absent or not voting: None.
Total 0

Senator Neuman present at this time.

That HB 203, as amended, be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story,

Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Aklestad.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Towe moved the adoption of the committee report. Report adopted.

SPECIAL ORDERS OF THE DAY

Senator Haffey moved the appointment of:

John S. Cote, Butte, Montana, appointed for a term ending July 1, 1987;
Earl W. Johnson, Helena, Montana, appointed for a term ending July 1, 1986;
D.E. Olsson, Ronan, Montana, appointed for a term ending July 1, 1987;
Rudy Tramelli, Great Falls, Montana, appointed for a term ending July 1, 1986;

as members of the State Banking Board be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Shaw.
Total 1

Excused: Aklestad.
Total 1

Absent or not voting: Severson, Thayer.
Total 2

Senator Haffey moved the appointment of:

Richard L. Riley, Great Falls, Montana, appointed for a term ending July 1, 1987;
Lawrence M. Sandretto, Red Lodge, Montana, appointed for a term ending July 1, 1986;

as members of the Board of Barbers be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad,

Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Shaw.
Total 1

Excused: Aklestad.
Total 1

Absent or not voting: None.
Total 0

Senator Haffey moved the appointment of:

R.G. Glatz, Winnett, Montana, appointed for a term ending October 6, 1987;
Dr. C.R. Grow, Wolf Point, Montana, appointed for a term ending January 9, 1987;
Dr. Roger E. Combs, Libby, Montana, appointed for a term ending January 9, 1988;

as members of the Board of Chiropractors be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Aklestad.
Total 1

Absent or not voting: Kolstad.
Total 1

Senator Haffey moved the appointment of:

Dorothy Turner, Great Falls, Montana, appointed for a term ending July 1, 1987;
H. Dudley Williams, Helena, Montana, appointed for a term ending July 1, 1988;

as members of the Board of Cosmetologists be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 48

Noes: None.
Total 0

Excused: Aklestad.
Total 1

Absent or not voting: Kolstad.
Total 1

Senator Haffey moved the appointment of:

Dr. Gordon Browder, Missoula, Montana, appointed for a term ending January 2, 1989;
J.G. Gottfried, Sweetgrass, Montana, appointed for a term ending January 2, 1989;
Harold Hanser, Billings, Montana, appointed for a term ending January 2, 1989;
Pedro Hernandez, Billings, Montana, appointed for a term ending January 2, 1989;
Matt A. Himsl, Kalispell, Montana, appointed for a term ending January 1, 1987;
Ellis Gene Kiser, Billings, Montana, appointed for a term ending January 2, 1989;
Rex Manuel, Fairfield, Montana, appointed for a term ending January 2, 1989;
Thomas M. McKittrick, Great Falls, Montana, appointed for a term ending January 2, 1989;
Glenn Osborne, Great Falls, Montana, appointed for a term ending January 2, 1989;
Dr. John Pfaff, Great Falls, Montana, appointed for a term ending January 2, 1989;
Kenneth Rustad, Baker, Montana, appointed for a term ending January 2, 1989;
Carroll South, Helena, Montana, appointed for a term ending January 2, 1989;
Honorable J.A. Turnage, Helena, Montana, appointed for a term ending January 2, 1989;

as members of the Board of Crime Control be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Aklestad.
Total 1

Absent or not voting: Story.
Total 1

Senator Haffey moved the appointment of:

Jeannette S. Buchanan, Columbia Falls, Montana, appointed for a term ending July 1, 1989;
Dr. Robert W. Fritz, Helena, Montana, appointed for a term ending March 29, 1989;

as members of the Board of Dentistry be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Aklestad.
Total 1

Absent or not voting: Story.
Total 1

Senator Haffey moved the appointment of:

Elsie Fox, Miles City, Montana, appointed for a term ending January 11, 1987;
Ronald B. Kandarian, Kalispell, Montana, appointed for a term ending January 11, 1987;
Henry Siderius, Kalispell, Montana, appointed for a term ending January 11, 1988;
Everett Vanden Eeden, Billings, Montana, appointed for a term ending January 11, 1986;
Lee M. Wiser, Livingston, Montana, appointed for a term ending January 11, 1988;

as members of the Board of Denturitry be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Halligan.
Total 1

Excused: Aklestad.
Total 1

Absent or not voting: Story.
Total 1

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Halligan moved that SB 142 be taken from enrolling and that it be placed on second reading. Motion carried unanimously.

Senator Mazurek moved that HB 425 be taken from second reading and that it be rereferred to the Committee on Taxation. Motion carried unanimously.

Senator Van Valkenburg moved that the Senate adjourn until 1:30 p.m., April 10, 1985.

Motion carried.

Senate adjourned at 3:58 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

SEVENTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
April 10, 1985

Senate Chambers
State Capitol

Senate convened at 1:34 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the seventy-sixth legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 4/9/85

Examined by the sponsor (Eck) and found to be correct: SB 28.
Examined by the sponsor (McCallum) and found to be correct: SB 126.
Examined by the sponsor (Mohar) and found to be correct: SB 135.
Examined by the sponsor (Mohar) and found to be correct: SB 136.
Examined by the sponsor (Brown) and found to be correct: SB 152.
Examined by the sponsor (Fuller) and found to be correct: SB 160.
Examined by the sponsor (Regan) and found to be correct: SB 167.
Examined by the sponsor (Mazurek) and found to be correct: SB 214.
Examined by the sponsor (Regan) and found to be correct: SB 233.
Examined by the sponsor (Galt) and found to be correct: SB 255.
Examined by the sponsor (Tveit) and found to be correct: SB 258.
Examined by the sponsor (Mohar) and found to be correct: SB 265.
Examined by the sponsor (Halligan) and found to be correct: SB 266.
Examined by the sponsor (Thayer) and found to be correct: SB 273.
Examined by the sponsor (Himsl) and found to be correct: SB 300.
Examined by the sponsor (Conover) and found to be correct: SB 301.
Examined by the sponsor (Van Valkenburg) and found to be correct: SB 325.
Examined by the sponsor (Himsl) and found to be correct: SB 326.
Examined by the sponsor (Regan) and found to be correct: SB 329.
Examined by the sponsor (Towe) and found to be correct: SB 332.
Examined by the sponsor (Blaylock) and found to be correct: SB 337.
Examined by the sponsor (Mazurek) and found to be correct: SB 354.
Examined by the sponsor (Thayer) and found to be correct: SB 380.
Examined by the sponsor (Daniels) and found to be correct: SB 392.
Examined by the sponsor (Fuller) and found to be correct: SB 402.
Examined by the sponsor (Lynch) and found to be correct: SB 406.
Examined by the sponsor (Van Valkenburg) and found to be correct: SB 420.
Considered correctly engrossed: SJR 37. 4/10/85
Correctly enrolled: SB 28, SB 126, SB 135, SB 136, SB 152, SB 160, SB 167, SB 214, SB 233, SB 255, SB 258, SB 265, SB 266, SB 273, SB 300, SB 301, SB 325, SB 326, SB 329, SB 332, SB 337, SB 354, SB 380, SB 392, SB 402, SB 406, SB 420.
Delivered to the Governor for his approval at 10:00 a.m., 4/10/85: SB 12, SB 55, SB 57, SB 88, SB 95, SB 156, SB 229, SB 234, SB 247, SB 281, SB 308, SB 316, SB 385, SB 399 SB 408, SB 415, SB 423, SB 433, SB 440, SB 461.

Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 3/22/85

Having had under consideration the Governor's appointments of the following members of the Montana Economic Development Board:

G. Steven Brown, Helena, Montana, appointed for a term ending January 7, 1989
Karen K. Locke, Eureka, Montana, appointed for a term ending January 7, 1989
D. Patrick McKittrick, Great Falls, Montana, appointed for a term ending January 1, 1987
John C. Orth, Butte, Montana, appointed for a term ending January 7, 1989
Jackson L. Schutte, Billings, Montana, appointed for a term ending January 7, 1989
Yvonne B. Snider, Lewistown, Montana, appointed for a term ending January 1, 1987
Jeremiah R. Sullivan, Helena, Montana, appointed for a term ending January 1, 1987

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the State Electrical Board: 3/28/85

Albert Bersanti, Butte, Montana, appointed for a term ending July 1, 1989
James A. Lewis, Helena, Montana, appointed for a term ending July 1, 1986
Kenneth L. Olsen, Billings, Montana, appointed for a term ending July 1, 1988

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Fish and Game Commission:

Don Bailey, Forsyth, Montana, appointed for a term ending January 2, 1989
Dan Oakland, Great Falls, Montana, appointed for a term ending January 2, 1989
Dr. James W. Olson, Hamilton, Montana, appointed for a term ending January 2, 1989

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following member of the Hardrock Mining Impact Board:

Donald B. Kinsey, Big Timber, Montana, appointed for a term ending January 1, 1987

Respectfully report as follows:

That said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Health and Environmental Sciences:

Tennie Bottomly, Belgrade, Montana, appointed for a term ending January 2, 1989
Kenneth Lee, Scobey, Montana, appointed for a term ending January 2, 1989
Dr. Richard P. Swenson, Helena, Montana, appointed for a term ending January 2, 1989
Edwin Zaidlicz, Billings, Montana, appointed for a term ending January 2, 1989

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Hearing Aid Dispensers: 3/22/85

Dudley A. Anderson, Missoula, Montana, appointed for a term ending July 1, 1985
Ruth Chisholm, Helena, Montana, appointed for a term ending July 1, 1987
Barbara Going, Great Falls, Montana, appointed for a term ending July 1, 1986
Robert Jurovich, Billings, Montana, appointed for a term ending July 1, 1987
Dr. William J. Simic, Helena, Montana, appointed for a term ending July 1, 1985

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Highway Commission: 4/4/85

Paul M. Foster, Billings, Montana, appointed for a term ending January 2, 1989
Ilert Hellebust, Havre, Montana, appointed for a term ending January 2, 1989
Maria N. Murray, Butte, Montana, appointed for a term ending January 2, 1989

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Trustees of the Montana Historical Society: 3/22/85

James R. Beery, Wolf Point, Montana, appointed for a term ending July 1, 1989
Leif Erickson, Big Fork, Montana, appointed for a term ending July 1, 1986
Helen L. Hornby, Livingston, Montana, appointed for a term ending July 1, 1988
William R. Mackay, Roscoe, Montana, appointed for a term ending July 1, 1989
George W. O'Connor, Butte, Montana, appointed for a term ending July 1, 1988
Harold G. Stearns, Helena, Montana, appointed for a term ending July 1, 1986
Dr. Dee C. Taylor, Missoula, Montana, appointed for a term ending July 1, 1988
Wilbur P. Werner, Cut Bank, Montana, appointed for a term ending July 1, 1989

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Horse Racing:

Harold E. Gerke, Billings, Montana, appointed for a term ending January 20, 1986
Linda King, Helena, Montana, appointed for a term ending January 20, 1987
Malvin Merja, Sun River, Montana, appointed for a term ending January 20, 1988
John M. Trippe, Seeley Lake, Montana, appointed for a term ending January 20, 1986
Terry Wagner, Miles City, Montana, appointed for a term ending January 20, 1988

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Housing:

Tom Battershell, Helena, Montana, appointed for a term ending January 7, 1989
Joan Bennett, Great Falls, Montana, appointed for a term ending July 7, 1989
Michael J. Kennedy, Billings, Montana, appointed for a term ending January 7, 1989
Bruce Moerer, Shelby, Montana, appointed for a term ending January 7, 1989

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

SJR 39, introduced bill, be amended as follows: 4/10/85

1. Page 2, line 5.
Following: "February 10,"
Insert: "1985,"

And, as amended, do pass. Report adopted.

TAXATION (Towe, Chairman): 4/9/85
HB 168, third reading copy, be amended as follows:

1. Page 2, lines 12 and 13.
Following: "~~values.~~" on line 12
Strike: remainder of line 12 through "1986" on line 13
Insert: "In computing the agricultural land valuation schedules to take effect on January 1, 1991, or on the date that the revaluation cycle commencing January 2, 1986, takes effect pursuant to 15-7-111"

2. Page 3, line 17.
Following: "(6)"
Strike: "MONTANA STATE UNIVERSITY SHALL ANNUALLY COMPILE"
Insert: "To the degree available, the department shall compile:

(a)"

3. Page 3, line 20.
Following: "DATA"
Strike: "SHALL"
Insert: "may"

4. Page 3, line 21.
Following: "PRICES"
Strike: "SHALL"
Insert: "may"
Following: "INCLUDE"
Strike: "BUT NOT BE LIMITED TO"

5. Page 3, line 24.
Following: "SHEEP."
Strike: "SUCH COMMODITY PRICES SHALL INCLUDE GOVERNMENT"
Insert: "Government"

6. Page 3, line 25.
Following: "PAYMENTS"
Strike: "CALCULATED PER UNIT OF MEASURE"
Insert: "may be considered"

7. Page 4, line 1.
Following: "ARRANGEMENTS"
Strike: "SHALL"
Insert: "may"
Strike: "COMPILED FOR EACH USE"
Insert: "considered"

8. Page 4.

Following: line 1
Strike: line 2 through "ADEQUATE" on line 3
Insert: "(b)"

9. Page 4, line 5.
Following: "DATA"
Strike: "SHALL"
Insert: "may"

10. Page 4, line 6.
Following: "COSTS"
Strike: "SHALL"
Insert: "may"
Following: "INCLUDE"
Strike: "BUT NOT BE"

11. Page 4.
Following: line 6
Strike: "LIMITED TO"

12. Page 4, line 12.
Following: "ARRANGEMENTS"
Strike: "SHALL BE COMPILED FOR EACH LAND USE"
Insert: "may be considered"

13. Page 4, lines 13 and 14.
Strike: subsection (8) in its entirety
Renumber: subsequent subsections

14. Page 4, line 19.
Following: "THROUGH"
Strike: "(8)"
Insert: "(6)"
Following: ":"
Insert: "The advisory committee shall include one member of the Montana state university staff."

15. Page 4, line 25.
Following: "THROUGH"
Strike: "(9)"
Insert: "(7)"

And, as amended, be concurred in. Report adopted.

HB 869, third reading copy, be amended as follows:

1. Title, lines 5 and 6.
Following: "AN ACT" on line 5
Strike: "REVISING THE INCOME SCHEDULE ON WHICH"
Insert: "EXTENDING TO ALL LOWER INCOME PROPERTY OWNERS THE"
Following: "REDUCTIONS" on line 6
Strike: "ARE BASED"

2. Title, line 9.
Following: ";"
Insert: "ADJUSTING THE INCOME SCHEDULE FOR SUCH PROPERTY TAX REDUCTIONS;"

3. Title, line 10.
Following: "15-6-134"
Strike: "AND"
Insert: ","

Following: "15-6-142"
Insert: ", AND 15-6-151"

4. Page 1, line 25 through line 8, page 2.
Following: "of" on page 1, line 25
Strike: remainder of line 25 through "benefits" on line 8, page 2
Insert: "any person"

5. Page 4, lines 12 through 20.
Following: "of" on line 12
Strike: remainder of line 12 through "benefits" on line 20
Insert: "any person"

6. Page 5.
Following: line 6
Insert: "Section 3. Section 15-6-151, MCA, is amended to read:

"15-6-151. Application for certain class four classifications. (1) A person applying for classification of property described in subsection (1)(c) of 15-6-134 shall make an affidavit to the department of revenue, on a form provided by the department without cost, stating:

(a) his income;

~~(b) his retirement benefits;~~

~~(c) his marital status;~~

~~(d)~~(b) the fact that he maintains the land and improvements as his primary residential dwelling, where applicable; and

~~(e)~~(c) such other information as is relevant to the applicant's eligibility.

(2) This application must be made before March 1 of the year after the applicant becomes eligible. The application remains in effect in subsequent years unless there is a change in the applicant's eligibility. The taxpayer shall inform the department of any change in eligibility. The department may inquire by mail whether any change in eligibility has taken place and may require a new statement of eligibility at any time it considers necessary.

(3) The affidavit is sufficient if the applicant signs a statement affirming the correctness of the information supplied, whether or not the statement is signed before a person authorized to administer oaths, and mails the application and statement to the department of revenue. This signed statement shall be treated as a statement under oath or equivalent affirmation for the purposes of 45-7-202, relating to the criminal offense of false swearing.""
Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

HB 924, third reading copy, be amended as follows:

1. Title, line 8.
Following: "RESERVATIONS"
Insert: "AND TO ENLISTED MEN'S, NONCOMMISSIONED OFFICERS', AND OFFICERS' CLUBS LOCATED ON FEDERAL MILITARY RESERVATIONS"

2. Title, lines 10 and 11.
Following: "AND" on line 10
Strike: "AN"

Strike: "DATE" on line 11
Insert: "DATES"

3. Page 2, line 3.
Following: "available"
Strike: "."
Insert: "; and

WHEREAS, the enlisted men's, noncommissioned officers', and officers' clubs located on federal military reservations in Montana have operated for many years as federal enclaves beyond the jurisdiction of state laws relating to licensing and regulation of alcoholic beverages; and

WHEREAS, effective December 1, 1984, Air National Guard Regulation 215-2 requires enlisted men's, noncommissioned officers', and officers' clubs to comply with state laws relating to licensing and regulation of alcoholic beverages; and

WHEREAS, the enforcement of Montana's alcoholic beverage license quota creates a hardship for enlisted men's, noncommissioned officers', and officers' clubs which have historically operated as social clubs without profit motive and which do not have the economic capacity to compete for licenses."

3. Page 2, line 8.
Following: "reservations"
Insert: "and to enlisted men's, noncommissioned officers', and officers' clubs located on federal military reservations"

4. Page 2, line 11.
Following: "1."
Strike: "Exception"
Insert: "Exceptions"

5. Page 2, line 12.
Following: "licensees"
Insert: "and enlisted men's, noncommissioned officers', and officers' clubs"

6. Page 2, line 15.
Following: "to"
Insert: ": (a)"

7. Page 2, line 17.
Following: "reservation"
Insert: "under a tribal license issued prior to January 1, 1985;

(b) an enlisted men's, noncommissioned officers', or officers' club located on a federal military reservation in Montana"

8. Page 2, line 22.
Following: "under"
Strike: "this section"
Insert: "subsection (1)(a)"

9. Page 3, line 5.
Following: "2."
Strike: "Exception"
Insert: "Exceptions"

10. Page 3, line 7.
Following: "licensees"

Insert: "and enlisted men's, noncommissioned officers', and officers' clubs"

11. Page 3, line 8.
Following: "to"
Insert: ": (a)"

12. Page 3, line 11.
Following: "reservation"
Insert: "under a tribal license issued prior to January 1, 1985;

(b) an enlisted men's, noncommissioned officers', or officers' club located on a federal military reservation in Montana"

13. Page 3, line 16.
Following: "under"
Strike: "this section"
Insert: "subsection (1)(a)"

14. Page 6, line 6.
Following: "to"
Insert: "an enlisted men's, noncommissioned officers', or officers' club located on a federal military reservation on [the effective date of this act] or to"

15. Page 10, line 1.
Following: "to"
Insert: "an enlisted men's, noncommissioned officers', or officers' club located on a federal military reservation on [the effective date of this act] or to"

16. Page 10, line 25.
Following: "under ["
Insert: "subsection (1)(a) of"

17. Page 11, line 15.
Following: "under ["
Insert: "subsection (1)(a) of"

18. Page 12, line 1.
Following: "under ["
Insert: "subsection (1)(a) of"

19. Page 14, line 10.
Following: "1985"
Insert: ", and to enlisted men's, noncommissioned officers', and officers' clubs located on federal military reservations in Montana on [the effective date of this act]"

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman April 10, 1985
President of the Senate
State Capitol
Helena, Montana 59620

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 81, 187, 194, 224, 226, 296, and 450 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate amendments to House bills concurred in: 4/9/85

HB 601, introduced by Thoft, et al.

HB 602, introduced by Fritz, et al.

HB 643, introduced by Thoft, et al.

HB 680, introduced by Iverson, et al.

HB 716, introduced by Thoft

HB 768, introduced by Bradley, et al.

The House, on 4/4/85, failed to concur in Senate amendments to HB 127 and appointed a conference committee, requesting that the Senate appoint a committee to confer on Senate amendments to HB 127.

The Speaker appointed the following members:

Representative Driscoll
Representative Glaser
Representative Kadas
Representative Keyser

The House, on 4/8/85, acceded to the request of the Senate and appointed a conference committee to meet with a committee from the Senate to confer on House amendments to SB 427.

The Speaker appointed the following members:

Representative Compton
Representative Driscoll
Representative Harbin
Representative Sales

The House, on 4/5/85, failed to concur in Senate amendments to HB 438 and appointed a conference committee, requesting that the Senate appoint a committee to confer on Senate amendments to HB 438.

The Speaker appointed the following members:

Representative Bradley
Representative Brown
Representative Grady
Representative O'Hara

The House, on 4/5/85, failed to concur in Senate amendments to HB 444 and appointed a conference committee, requesting that the Senate appoint a committee to confer on Senate amendments to HB 444.

The Speaker appointed the following members:

Representative Bradley
Representative Brown
Representative Grady
Representative O'Hara

The House, on 4/5/85, failed to concur in Senate amendments to HB 471 and appointed a conference committee, requesting that the Senate appoint a committee to confer on Senate amendments to HB 471.

The Speaker appointed the following members:

Representative Eudaily
Representative Hammond
Representative Keenan
Representative Thomas

The House, on 4/8/85, failed to concur in Senate amendments to HB 554 and appointed a conference committee, requesting that the Senate appoint a committee to confer on Senate amendments to HB 554.

The Speaker appointed the following members:

Representative Connelly
Representative Driscoll
Representative Jones
Representative Kitselman

The House, on 4/8/85, failed to concur in Senate amendments to HB 582 and appointed a conference committee, requesting that the Senate appoint a committee to confer on Senate amendments to HB 582.

The Speaker appointed the following members:

Representative Brown
Representative Fritz
Representative Gilbert
Representative Wallin

The House, on 4/8/85, failed to concur in Senate amendments to HB 585 and appointed a conference committee, requesting that the Senate appoint a committee to confer on Senate amendments to HB 585.

The Speaker appointed the following members:

Representative Addy
Representative Gould
Representative Hannah
Representative Rapp-Svrcek

The House, on 4/8/85, failed to concur in Senate amendments to HB 608 and appointed a conference committee, requesting that the Senate appoint a committee to confer on Senate amendments to HB 608.

The Speaker appointed the following members:

Representative Eudaily
Representative Thomas
Representative Waldron
Representative Williams

The House, on 4/8/85, failed to concur in Senate amendments to HB 686 and appointed a conference committee, requesting that the Senate appoint a committee to confer on Senate amendments to HB 686.

The Speaker appointed the following members:

Representative Hannah
Representative Gould
Representative Keenan
Representative Krueger

The House, on 4/8/85, failed to concur in Senate amendments to HB 707 and appointed a conference committee, requesting that the Senate appoint a committee to confer on Senate amendments to HB 707.

The Speaker appointed the following members:

Representative Brandewie
Representative Driscoll
Representative Jenkins
Representative Manuel

The House, on 4/8/85, failed to concur in Senate amendments to HB 727 and appointed a conference committee, requesting that the Senate appoint a committee to confer on Senate amendments to HB 727.

The Speaker appointed the following members:

Representative Brandewie
Representative Brown
Representative Kitselman
Representative Miles

The House, on 4/8/85, failed to concur in Senate amendments to HB 775 and appointed a conference committee, requesting that the Senate appoint a committee to confer on Senate amendments to HB 775.

The Speaker appointed the following members:

Representative Harbin
Representative Harp
Representative Peterson
Representative Ream

The House, on 4/8/85, failed to concur in Senate amendments to HB 885 and appointed a conference committee, requesting that the Senate appoint a committee to confer on Senate amendments to HB 885.

The Speaker appointed the following members:

Representative Addy
Representative Kadas
Representative Rehberg
Representative Sales

The House, on 4/8/85, failed to concur in Senate amendments to HB 900 and appointed a conference committee, requesting that the Senate appoint a committee to confer on Senate amendments to HB 900.

The Speaker appointed the following members:

Representative Fritz
Representative Hart
Representative Sales
Representative Sands

The House, on 4/8/85, failed to concur in Senate amendments to HB 923 and appointed a conference committee, requesting that the Senate appoint a committee to confer on Senate amendments to HB 923.

The Speaker appointed the following members:

Representative Harper
Representative Keyser
Representative Marks
Representative Vincent

The House, on 4/8/85, failed to concur in Senate amendments to HB 616 and appointed a free conference committee, requesting that the Senate appoint a committee to confer on HB 616.

The Speaker appointed the following members:

Representative Brown
Representative Hannah
Representative Ramirez
Representative Schye

The House, on 4/8/85, failed to concur in Senate amendments to HB 717 and appointed a free conference committee, requesting that the Senate appoint a committee to confer on HB 717.

The Speaker appointed the following members:

Representative Bradley
Representative Iverson
Representative Jenkins
Representative Waldron

The House, on 4/8/85, failed to concur in Senate amendments to HB 737 and appointed a free conference committee, requesting that the Senate appoint a committee to confer on HB 737.

The Speaker appointed the following members:

Representative Bergene
Representative Bradley
Representative Darko
Representative Gilbert

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 236 concurred in as follows:

Ayes: Anderson, Bengtson, Boylan, Christiaens, Daniels, Farrell, Fuller, Galt, Goodover, Haffey, Halligan, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Severson, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Williams, Mr. President.
Total 31

Noes: Aklestad, Blaylock, Brown, Conover, Crippen, Eck, Gage, Hager, Hammond, Harding, Himsl, Lybeck, Neuman, Regan, Shaw, Smith, Towe, Weeding, Yellowtail.
Total 19

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 844 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Daniels, Mazurek, Stephens, Thayer.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of Senator Eck, and without objection, Senator Eck's vote on HB 236 be recorded as no.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Harding in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 142 - That House amendments to SB 142 be not concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Hammond, Neuman, Shaw, Smith, Thayer, Tveit.
Total 6

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 279 - That HB 279 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 625 - That HB 625 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 815 - That HB 815, third reading copy, be amended as follows:

1. AMEND SENATE TAXATION COMMITTEE REPORT OF 4/5/85 ON HOUSE BILL NO. 815:

   a. Amendments 2 and 3.
   Strike: amendments 2 and 3 in their entirety

2. AMEND HOUSE BILL NO. 815:

   a. Page 2, line 17.
   Following: "$10,"
   Strike: "or"
   Following: "$20"
   Insert: ", or (specify an amount)"

   b. Page 2, line 21.
   Following: "$10,"
   Strike: "or"
   Following: "$20"
   Insert: ", or (specify an amount)"

   Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 815, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Severson, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 39

Noes: Himsl, Jacobson, Keating, Neuman, Regan.
Total 5

Excused: None.
Total 0

Absent or not voting: Boylan, Galt, Lynch, Shaw, Story, Yellowtail.
Total 6

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair.

HB 625 - Senator Hager moved that HB 625 be segregated from the Committee of the Whole report. Motion carried unanimously.

Chairman Harding moved the adoption of the committee report, as amended. Report adopted.

At the request of Senator Hager, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Hager moved that HB 625 be taken from second reading and that it be rereferred to the Committee on Taxation. Motion carried unanimously.

SPECIAL ORDERS OF THE DAY

Senator Haffey moved the appointment of:

G. Steven Brown, Helena, Montana, appointed for a term ending January 7, 1989;
Karen K. Locke, Eureka, Montana, appointed for a term ending January 7, 1989;
D. Patrick McKittrick, Great Falls, Montana, appointed for a term ending January 1, 1987;
John C. Orth, Butte, Montana, appointed for a term ending January 7, 1989;
Jackson L. Schutte, Billings, Montana, appointed for a term ending January 7, 1989;
Yvonne B. Snider, Lewistown, Montana, appointed for a term ending January 1, 1987;
Jeremiah R. Sullivan, Helena, Montana, appointed for a term ending January 1, 1987;

as members of the Montana Economic Development Board be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek,

McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Galt, Story.
Total 2

Senator Haffey moved the appointment of:

Albert Bersanti, Butte, Montana, appointed for a term ending July 1, 1989;
James A. Lewis, Helena, Montana, appointed for a term ending July 1, 1986;
Kenneth L. Olsen, Billings, Montana, appointed for a term ending July 1, 1988;

as members of the State Electrical Board be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Galt, Hager, Lynch, Regan, Story.
Total 5

Senator Haffey moved the appointment of:

Don Bailey, Forsyth, Montana, appointed for a term ending January 2, 1989;
Dan Oakland, Great Falls, Montana, appointed for a term ending January 2, 1989;
Dr. James W. Olson, Hamilton, Montana, appointed for a term ending January 2, 1989;

as members of the Fish and Game Commission be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith,

Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Galt, Story.
Total 2

Senator Haffey moved the appointment of:

Donald B. Kinsey, Big Timber, Montana, appointed for a term ending January 1, 1987;

as a member of the Hardrock Mining Impact Board be concurred in and the Senate Resolution of such confirmation be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Galt, Story.
Total 2

Senator Haffey moved the appointment of:

Tennie Bottomly, Belgrade, Montana, appointed for a term ending January 2, 1989;
Kenneth Lee, Scobey, Montana, appointed for a term ending January 2, 1989;
Dr. Richard P. Swenson, Helena, Montana, appointed for a term ending January 2, 1989;
Edwin Zaidlicz, Billings, Montana, appointed for a term ending January 2, 1989;

as members of the Board of Health and Environmental Sciences be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 47

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Galt, Severson, Story.
Total 3

Senator Haffey moved the appointment of:

Dudley A. Anderson, Missoula, Montana, appointed for a term ending July 1, 1985;
Ruth Chisholm, Helena, Montana, appointed for a term ending July 1, 1987;
Barbara Going, Great Falls, Montana, appointed for a term ending July 1, 1986;
Robert Jurovich, Billings, Montana, appointed for a term ending July 1, 1987;
Dr. William J. Simic, Helena, Montana, appointed for a term ending July 1, 1985;

as members of the Board of Hearing Aid Dispensers be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 46

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Galt, Severson, Story, Mr. President.
Total 4

Senator Haffey moved the appointment of:

Paul M. Foster, Billings, Montana, appointed for a term ending January 2, 1989;
Ilert Hellebust, Havre, Montana, appointed for a term ending January 2, 1989;
Maria N. Murray, Butte, Montana, appointed for a term ending January 2, 1989;

as members of the Highway Commission be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek,

McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 47

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Galt, Story, Mr. President.
Total 3

Senator Haffey moved the appointment of:

James R. Beery, Wolf Point, Montana, appointed for a term ending July 1, 1989;
Leif Erickson, Big Fork, Montana, appointed for a term ending July 1, 1986;
Helen L. Hornby, Livingston, Montana, appointed for a term ending July 1, 1988;
William R. Mackay, Roscoe, Montana, appointed for a term ending July 1, 1989;
George W. O'Connor, Butte, Montana, appointed for a term ending July 1, 1988;
Harold G. Stearns, Helena, Montana, appointed for a term ending July 1, 1986;
Dr. Dee C. Taylor, Missoula, Montana, appointed for a term ending July 1, 1988;
Wilbur P. Werner, Cut Bank, Montana, appointed for a term ending July 1, 1989;

as members of the Board of Trustees of the Montana Historical Society be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Galt, Story.
Total 2

Senator Haffey moved the appointment of:

Harold E. Gerke, Billings, Montana, appointed for a term ending January 20, 1986;
Linda King, Helena, Montana, appointed for a term ending January 20, 1987;

Malvin Merja, Sun River, Montana, appointed for a term ending January 20, 1988;

John M. Trippe, Seeley Lake, Montana, appointed for a term ending January 20, 1986;

Terry Wagner, Miles City, Montana, appointed for a term ending January 20, 1988;

as members of the Board of Horse Racing be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 48

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Story, Mr. President.
Total 2

Senator Haffey moved the appointment of:

Tom Battershell, Helena, Montana, appointed for a term ending January 7, 1989;

Joan Bennett, Great Falls, Montana, appointed for a term ending January 7, 1989;

Michael J. Kennedy, Billings, Montana, appointed for a term ending January 7, 1989;

Bruce Moerer, Shelby, Montana, appointed for a term ending January 7, 1989;

as members of the Board of Housing be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Story.
Total 1

Senator Blaylock introduced the winners of the Eleanor Roosevelt Centennial Mini-Essay Contest winners, the Poster Contest winners, and Norma Keil, Montana State Coordinator, to the members of the Senate.

Senator Van Valkenburg moved that the Senate adjourn until 1:30 p.m., April 11, 1985.

Motion carried.

Senate adjourned at 2:44 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

SEVENTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
April 11, 1985

Senate Chambers
State Capitol

Senate convened at 1:32 p.m., President Norman presiding. Invocation by the Chaplain, Pastor Monsen. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the seventy-seventh legislative day, find the same to be correct.

Manning, Chairman

SPECIAL ORDERS OF THE DAY

Senator Lane introduced Larry Peabody, World's Champion Bareback Rider, and his parents to the Senate.

Senator Van Valkenburg moved that the Senate recess, subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 1:38 p.m.

Senate reconvened at 1:57 p.m.

REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (Haffey, Chairman): 3/22/85

Having had under consideration the Governor's appointments of the following members of the Board of Investments:

Gary Buchanan, Billings, Montana, appointed for a term ending January 1, 1987
W.E. "Buster" Schreiber, Whitefish, Montana, appointed for a term ending January 2, 1989
Wilber E. Scott, Great Falls, Montana, appointed for a term ending January 2, 1989
Frederick B. Tossberg, Hamilton, Montana, appointed for a term ending January 2, 1989

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Landscape Architects:

Jack Ervin, Colstrip, Montana, appointed for a term ending July 1, 1988
Sandra K. Fischer, Billings, Montana, appointed for a term ending July 1, 1985

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Livestock:

Lawrence S. Fuller, Wyola, Montana, appointed for a term ending March 1, 1989
Nancy Espy, Boyes, Montana, appointed for a term ending March 1, 1991
James F. Hagenbarth, Dillon, Montana, appointed for term ending March 1, 1991

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Medical Examiners:

Dr. Richard W. Beighle, Missoula, Montana, appointed for a term ending September 1, 1988
Dr. John A. Layne, Great Falls, Montana, appointed for a term ending September 1, 1987

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Milk Control:

Evelyn Itcaina, Dodson, Montana, appointed for a term ending January 2, 1989
Bobbye W. Johnson, Miles City, Montana, appointed for a term ending January 2, 1989
Kenneth Mortag, Cascade, Montana, appointed for a term ending January 2, 1989

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Montana Health Facility Authority:

Mary D. Munger, Helena, Montana, appointed for a term ending June 30, 1987
R.H. Robinson, Missoula, Montana, appointed for a term ending June 30, 1988
Sister Mary Serena Sheehy, Butte, Montana, appointed for a term ending June 30, 1986
Charles V. Shewey, Bozeman, Montana, appointed for a term ending June 30, 1985

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Morticians:

Dennis F. Dolan, Butte, Montana, appointed for a term ending July 1, 1988
Vernon H. Vial, Great Falls, Montana, appointed for a term ending July 1, 1989

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Natural Resources and Conservation:

Carroll Graham, Lodge Grass, Montana, appointed for a term ending January 2, 1989
Charles L. Hash, Kalispell, Montana, appointed for a term ending January 2, 1989
Dan L. Rieder, Bozeman, Montana, appointed for a term ending January 2, 1989
Richard Spalding, Billings, Montana, appointed for a term ending January 2, 1989

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Nursing Home Administrators:

Carol Ann Andrews, Havre, Montana, appointed for a term ending May 28, 1988
Vera E. Gerke, Billings, Montana, appointed for a term ending May 28, 1989

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Nursing:

Margaret A. Barkley, Bozeman, Montana, appointed for a term ending July 1, 1988
Doris Lorraine Evans, Havre, Montana, appointed for a term ending July 1, 1988
Shirley A. Mann, Black Eagle, Montana, appointed for a term ending July 1, 1987
Donna Mae Snodgrass, Poplar, Montana, appointed for a term ending July 1, 1987
Naomi E. Summers, Kalispell, Montana, appointed for a term ending July 1, 1986

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

REPORTS OF SELECT COMMITTEES

Conference Committee
on House Amendments to Senate Bill No. 106
Report No. 1, April 10, 1985

Mr. President:

We, your Conference Committee on House Amendments to Senate Bill No. 106 met and considered:

House Amendments to Senate Bill No. 106.

We recommend as follows:

That Senate Bill No. 106, reference copy, be amended as follows:

1. Page 2, line 12.
Following: "OF"
Strike: "AFFINITY"
Insert: "consanguinity"

2. Page 3, line 25.
Following: "OF"
Strike: "AFFINITY"
Insert: "consanguinity"

And that this Conference Committee report be adopted.

For the Senate:	For the House:
Daniels, Chairman	Hannah, Chairman
Lynch	Thomas
Shaw	Peck
	Rapp-Svrcek

Conference Committee
on Senate Amendments to House Bill No. 265
Report No. 1, April 10, 1985

Mr. President:

We, your Conference Committee on Senate Amendments to House Bill No. 265 met and considered:

Senate Judiciary Standing Committee Report

Senate Committee of the Whole Amendments, Galt & Yellowtail

We recommend as follows:

That House Bill No. 265, reference copy, be amended as follows:

1. Page 4, lines 1 and 2.
Strike: "(EXCEPT" on line 1 through "HIKING" on line 2

2. Page 4, line 6.
Following: ";"
Insert: "other water-related pleasure activities,"

3. Page 5, line 15.
Following: "MARK"
Insert: ", its bed, and its banks up to the ordinary high water mark"

And that this Conference Committee report be adopted.

For the Senate:

Van Valkenburg, Chairman
Yellowtail

For the House:

Keyser, Chairman
Krueger
Mercer
Ream

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 10, 1985

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 350, 353, and 447 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 11, 1985

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 11, 184, 284, 340, and 409 on April 10, 1985.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 10, 1985

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Vincent:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto Senate Bill No. 205, "AN ACT CLARIFYING THE COMPENSATION OF COAL BOARD MEMBERS; AMENDING SECTION 90-6-204, MCA; AND PROVIDING A RETROACTIVE APPLICABILITY DATE AND AN IMMEDIATE EFFECTIVE DATE."

As passed, Senate Bill No. 205 provides that each member of the coal board is entitled to be paid $50 for each day in which he performs board duties. The effect of this bill is to allow coal board members who are local and state government employees to receive the $50 whether or not they are receiving their regular pay. The clear result of Senate Bill No. 205 is to allow "double-dipping"!

The provision which applies the act retroactively (section 3) results in allowing public employees to "double-dip" back to June 30, 1984 — a purpose which makes the whole idea even more unacceptable. When a person accepts a board appointment he understands his responsibilities and knows the amount of compensation to which he'll be entitled. Reaching into the taxpayers' pocket for services rendered in the past is unacceptable public policy.

Without this bill, members of the coal board will receive the same compensation under 2-15-124(7) as members of other state boards. Senate Bill No. 205 is not in the public interest nor does it serve the best interest of public employees.

For the above reasons, I hereby veto Senate Bill No. 205.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 10, 1985

Dear Senator Norman:

I respectfully submit for confirmation by the Montana State Senate, the attached list of appointments.

Sincerely,

Ted Schwinden
Governor

As members of the AGRICULTURAL LOAN AUTHORITY in accordance with Section No. 2-15-3011, MCA.

Ms. Dixie R. Halverson, Scobey, Montana 59263, appointed for a term ending 1/2/89.

Mr. Dennis Robinson, Lewistown, Montana 59457, appointed for a term ending 1/2/89.

As a member of the BOARD OF ARCHITECTS in accordance with Section No. 2-15-1871, MCA.

Mr. Jerrell D. Ballas, Missoula, Montana 59801, reappointed for a term ending 3/27/88.

As members of the MONTANA ARTS COUNCIL in accordance with Section No. 2-15-1513, MCA.

Mr. James M. Colla, Great Falls, Montana 59403, appointed for a term ending 2/1/87.

Mrs. Emily S. Day, Wolf Point, Montana 59201, appointed for a term ending 2/1/90.

Mr. Howard Obenhoff, Butte, Montana 59701, appointed for a term ending 2/1/90.

Ms. Carolyn B. Valacich, Great Falls, Montana 59405, reappointed for a term ending 2/1/90.

Mr. James Whitlock, Hamilton, Montana 59840, appointed for a term ending 2/1/90.

As members of the COAL BOARD in accordance with Section No. 2-15-1821, MCA.

Ms. Darcy Galasso, Butte, Montana 59701, reappointed for a term ending 1/2/89.

Ms. Nell Kubesh, Glendive, Montana 59330, reappointed for a term ending 1/2/89.

Mr. Hershel Robbins, Roundup, Montana 59072, reappointed for a term ending 1/2/89.

Mr. Jack Stevens, Great Falls, Montana 59401, reappointed for a term ending 1/2/89.

As a member of the BOARD OF DENTISTRY in accordance with Section No. 2-15-1842, MCA.

Dr. R.W. Rector, Havre, Montana 59501, appointed for a term ending 3/29/90.

As members of the BOARD OF HAIL INSURANCE in accordance with Section No. 2-15-3003, MCA.

Mr. Adrien Long, Wolf Point, Montana 59201, reappointed for a term ending 4/18/87.

Mr. Troy Martin, Winifred, Montana 59489, appointed for a term ending 4/18/86.

As members of the HARD ROCK MINING IMPACT BOARD in accordance with Section No. 2-15-1822, MCA.

Mr. James E. Edwards, Anaconda, Montana 59711, reappointed for a term ending 1/2/89.

Mr. Duane E. Friez, Glendive, Montana 59230, reappointed for a term ending 1/2/89.

Mr. Leonard H. McKinney, Lewistown, Montana 59457, reappointed for a term ending 1/2/89.

As a member of the BOARD OF TRUSTEES OF THE MONTANA HISTORICAL SOCIETY in accordance with Section No. 2-15-1512, MCA.

Mr. Loran A. Perry, Fort Benton, Montana 59442, appointed for a term ending 7/1/85.

As members of the COMMISSION FOR HUMAN RIGHTS in accordance with Section No. 2-15-1706, MCA.

Ms. Margery Brown, Missoula, Montana 59801, reappointed for a term ending 1/2/89.

Ms. Angelina Vallejo Cormier, Billings, Montana 59101, reappointed for a term ending 1/2/89.

Mr. Edward Lien, Wolf Point, Montana 59201, reappointed for a term ending 1/2/89.

As members of the BOARD OF INVESTMENTS in accordance with Section No. 2-15-1005, MCA.

Mr. J. William Kearns, Townsend, Montana 59644, appointed for a term ending 1/1/87.

Mr. Patrick McKelvey, Helena, Montana 59601, appointed for a term ending 1/1/89.

As members of the BOARD OF LABOR APPEALS in accordance with Section No. 2-15-1704, MCA.

Mr. Leo Berry, Helena, Montana 59601, appointed for a term ending 1/2/89.

Mr. Jerome C. Overmeir, Helena, Montana 59601, reappointed for a term ending 1/2/89.

As members of the MONTANA HEALTH FACILITY AUTHORITY in accordance with Section No. 2-15-1815, MCA.

Mr. Stephen L. Fenter, Billings, Montana 59115, appointed for a term ending 6/30/88.

Mr. Harold L. Poulsen, Great Falls, Montana 59404, appointed for a term ending 6/30/88.

As members of the BOARD OF OPTOMETRISTS in accordance with Section No. 2-15-1846, MCA.

Dr. Kenneth R. Zuroff, Glendive, Montana 59330, reappointed for a term ending 4/3/89.

As members of the BOARD OF PROFESSIONAL ENGINEERS & LAND SURVEYORS in accordance with Section No. 2-15-1873, MCA.

Mr. Maurice E. Guay, Missoula, Montana 59801, reappointed for a term ending 4/23/89.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The House, on 4/9/85, failed to concur in Senate amendments to HB 286 and appointed a conference committee, requesting that the Senate appoint a committee to confer on Senate amendments to HB 286.

The Speaker appointed the following members:

Representative Kadas
Representative Kitselman
Representative Krueger
Representative Mercer

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 467, introduced by Galt, Mazurek, (By Request of the Reserved Water Rights Compact Commission). Referred to Committee on Agriculture, Livestock and Irrigation.

SJR 40, introduced by Hirsch. Referred to Committee on Taxation.
SJR 41, introduced by Mazurek, Galt, (By Request of the Reserved Water Rights Compact Commission). Referred to Committee on Agriculture, Livestock and Irrigation.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SJR 37 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 203 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Goodover, Shaw.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 490 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 652 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 676 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Goodover, Haffey, Halligan, Harding, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 35

Noes: Aklestad, Boylan, Farrell, Gage, Galt, Hager, Hammond, Himsl, Keating, Kolstad, McCallum, Shaw, Smith, Thayer, Tveit.
Total 15

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 766 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Harding, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 42

Noes: Aklestad, Farrell, Hager, Hammond, Himsl, Keating, Shaw, Thayer.
Total 8

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 779 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 807 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SPECIAL ORDERS OF THE DAY

Senator Tveit presented the following proclamation:

WHEREAS, Fort Union's presence beginning in 1828 near the junction of the Missouri and Yellowstone Rivers guaranteed the 49th parallel as the northern boundary of the United States; and

WHEREAS, the Missouri River served as the Oregon Trail of the North with the first steamboat on the Upper Missouri River arriving at Fort Union in June 1832; and

WHEREAS, Fort Union was the finest and most imposing fur trading post in the West and is the only fur trading post in the West which can fully and correctly interpret the Western American fur trade; and

WHEREAS, the existence of Fort Union opened the land drained by the Missouri and Yellowstone Rivers; and

WHEREAS, Fort Union became a mecca for internationally famous artists, explorers, scientists, and European royalty; and

WHEREAS, the National Park Service is planning to reconstruct Fort Union; and

WHEREAS, the reconstruction of Fort Union has the active support of the United States Senator John Melcher, United States Senator Max Baucus, and United States Representative Ron Marlenee.

NOW, THEREFORE BE IT PROCLAIMED BY THE SENATE OF THE STATE OF MONTANA:

That Fort Union is important to the history of the people of Montana; and

BE IT FURTHER PROCLAIMED, that the Montana Senate supports continued public and private efforts to reconstruct Fort Union; and

BE IT FURTHER PROCLAIMED, that the Secretary of State send a copy of this proclamation to each Member of the Montana Congressional Delegation and the United States Secretary of the Interior.

Senator Haffey moved the appointment of:

Gary Buchanan, Billings, Montana, appointed for a term ending January 1, 1987;
W.E. "Buster" Schreiber, Whitefish, Montana, appointed for a term ending January 2, 1989;
Wilber E. Scott, Great Falls, Montana, appointed for a term ending January 2, 1989;
Frederick B. Tossberg, Hamilton, Montana, appointed for a term ending January 2, 1989;

as members of the Board of Investments be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Brown, Shaw, Story.
Total 3

Senator Haffey moved the appointment of:

Jack Ervin, Colstrip, Montana, appointed for a term ending July 1, 1988;
Sandra K. Fischer, Billings, Montana, appointed for a term ending July 1, 1985;

as members of the Board of Landscape Architects be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Brown, Shaw, Story.
Total 3

Senator Haffey moved the appointment of:

Lawrence S. Fuller, Wyola, Montana, appointed for a term ending March 1, 1989;
Nancy Espy, Boyes, Montana, appointed for a term ending March 1, 1991;
James F. Hagenbarth, Dillon, Montana, appointed for term ending March 1, 1991;

as members of the Board of Livestock be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Brown, Shaw.
Total 2

Senator Haffey moved the appointment of:

Dr. Richard W. Beighle, Missoula, Montana, appointed for a term ending September 1, 1988;
Dr. John A. Layne, Great Falls, Montana, appointed for a term ending September 1, 1987;

as members of the Board of Medical Examiners be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: None.

Total 0

Absent or not voting: Brown, Shaw, Story.
Total 3

Senator Haffey moved the appointment of:

Evelyn Itcaina, Dodson, Montana, appointed for a term ending January 2, 1989;
Bobbye W. Johnson, Miles City, Montana, appointed for a term ending January 2, 1989;
Kenneth Mortag, Cascade, Montana, appointed for a term ending January 2, 1989;

as members of the Board of Milk Control be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Brown, Pinsoneault, Shaw, Story.
Total 4

Senator Haffey moved the appointment of:

Mary D. Munger, Helena, Montana, appointed for a term ending June 30, 1987;
R.H. Robinson, Missoula, Montana, appointed for a term ending June 30, 1988;
Sister Mary Serena Sheehy, Butte, Montana, appointed for a term ending June 30, 1986;
Charles V. Shewey, Bozeman, Montana, appointed for a term ending June 30, 1985;

as members of the Montana Health Facility Authority be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: None.

Total 0

Absent or not voting: Brown, Shaw, Story.
Total 3

Senator Haffey moved the appointment of:

Dennis F. Dolan, Butte, Montana, appointed for a term ending July 1, 1988;
Vernon H. Vial, Great Falls, Montana, appointed for a term ending July 1, 1989;

as members of the Board of Morticians be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Brown, Shaw.
Total 2

Senator Haffey moved the appointment of:

Carroll Graham, Lodge Grass, Montana, appointed for a term ending January 2, 1989;
Charles L. Hash, Kalispell, Montana, appointed for a term ending January 2, 1989;
Dan L. Rieder, Bozeman, Montana, appointed for a term ending January 2, 1989;
Richard Spalding, Billings, Montana, appointed for a term ending January 2, 1989;

as members of the Board of Natural Resources and Conservation be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: None.

Total 0

Absent or not voting: Aklestad, Brown, Shaw.
Total 3

Senator Haffey moved the appointment of:

Carol Ann Andrews, Havre, Montana, appointed for a term ending May 28, 1988;
Vera E. Gerke, Billings, Montana, appointed for a term ending May 28, 1989;

as members of the Board of Nursing Home Administrators be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Aklestad, Brown, Shaw.
Total 3

Senator Haffey moved the appointment of:

Margaret A. Barkley, Bozeman, Montana, appointed for a term ending July 1, 1988;
Doris Lorraine Evans, Havre, Montana, appointed for a term ending July 1, 1988;
Shirley A. Mann, Black Eagle, Montana, appointed for a term ending July 1, 1987;
Donna Mae Snodgrass, Poplar, Montana, appointed for a term ending July 1, 1987;
Naomi E. Summers, Kalispell, Montana, appointed for a term ending July 1, 1986;

as members of the Board of Nursing be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: None.

Total 0

Absent or not voting: Aklestad, Shaw.
Total 2

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Towe moved that the President be authorized to dissolve the conference committee on House amendments to SB 54 and that he be authorized to appoint a free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Towe, Chairman
Senator Mazurek
Senator Galt

Senator Blaylock moved that the President be authorized to dissolve the conference committee on House amendments to SB 289 and that he be authorized to appoint a free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Blaylock, Chairman
Senator Pinsoneault
Senator Smith

Senator Mazurek moved that the President be authorized to dissolve the conference committee on House amendments to SB 110 and that he be authorized to appoint a free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Towe, Chairman
Senator Mazurek
Senator Crippen

Senator Van Valkenburg moved that the Senate adjourn until 1:30 p.m., April 12, 1985.

Motion carried.

Senate adjourned at 2:38 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

SEVENTY-NINTH LEGISLATIVE DAY

Helena, Montana
April 12, 1985

Senate Chambers
State Capitol

Senate convened at 1:45 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the seventy-eighth legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 4/9/85
Examined by the sponsor (Towe) and found to be correct: SB 322.
Examined by the sponsor (Christiaens) and found to be correct: SB 331.
Signed by the President at 11:00 a.m., 4/10/85: SB 214, SB 325.
Delivered to the Governor for his approval at 3:00 p.m., 4/10/85: SB 214, SB 325.
Correctly printed and placed on the members' desks: SJR 39. 4/11/85
Examined by the sponsor (Towe) and found to be correct: SB 25.
Examined by the sponsor (Mazurek) and found to be correct: SB 89.
Examined by the sponsor (Haffey) and found to be correct: SB 168.
Examined by the sponsor (Mazurek) and found to be correct: SB 183.
Examined by the sponsor (Halligan) and found to be correct: SB 268.
Examined by the sponsor (Galt) and found to be correct: SB 283.
Examined by the sponsor (Mohar) and found to be correct: SB 309.
Examined by the sponsor (Tveit) and found to be correct: SB 320.
Examined by the sponsor (Hager) and found to be correct: SB 323.
Examined by the sponsor (Neuman) and found to be correct: SB 369.
Examined by the sponsor (Mohar) and found to be correct: SB 371.
Examined by the sponsor (Towe) and found to be correct: SB 375.
Examined by the sponsor (Smith) and found to be correct: SB 412.
Examined by the sponsor (Towe) and found to be correct: SB 438.
Examined by the sponsor (Mazurek) and found to be correct: SB 451.
Signed by the President at 11:00 a.m., 4/11/85: SB 28, SB 126, SB 135, SB 136, SB 152, SB 160, SB 167, SB 233, SB 255, SB 258, SB 265, SB 266, SB 273, SB 300, SB 301, SB 326, SB 329, SB 332, SB 337, SB 354, SB 380, SB 392, SB 402, SB 406, SB 420.
Correctly enrolled: SB 25, SB 89, SB 168, SB 183, SB 268, SB 283, SB 309, SB 320, SB 322, SB 323, SB 331, SB 369, SB 371, SB 375, SB 412, SB 438, SB 451. 4/12/85
Delivered to the Governor for his approval at 9:00 a.m., 4/12/85: SB 28, SB 126, SB 135, SB 136, SB 152, SB 160, SB 167, SB 233, SB 255, SB 258, SB 265, SB 266, SB 273, SB 300, SB 301, SB 326, SB 329, SB 332, SB 337, SB 354, SB 380, SB 392, SB 402, SB 406, SB 420.

Report adopted.

FINANCE AND CLAIMS (Regan, Chairman): 4/12/85
HB 14, third reading copy, be amended as follows:

1. Page 3, line 6.
Following: "than"
Strike: "two members"
Insert: "one member"

2. Page 5, line 11.
Following: "of the"
Strike: "52nd"
Insert: "50th"

And, as amended, be concurred in. Report adopted.

HB 206, be concurred in. Report adopted.
HB 320, be concurred in. Report adopted.
HB 667, be concurred in. Report adopted.
HB 684, be concurred in. Report adopted.
HB 873, third reading copy, be amended as follows:

1. Page 5, lines 18 and 19.
Following: "~~ACCOUNT~~"
Strike: "JUNKED VEHICLE DISPOSAL ACCOUNT"
Insert: "crime victims compensation account"

And, as amended, be concurred in. Report adopted.

LOCAL GOVERNMENT (Fuller, Chairman): 4/11/85
HB 108, be concurred in. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 3/28/85

Having had under consideration the Governor's appointments of the following members of the Board of Oil and Gas Conservation:

Donald D. Cecil, Billings, Montana, appointed for a term ending February 2, 1989
George Robert Crotty, Great Falls, Montana, appointed for a term ending January 2, 1989
Robert Penner, Wolf Point, Montana, appointed for a term ending January 2, 1989

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointment of the following member of the Board of Oil and Gas Conservation: 4/4/85

Arnold G. Hansen, Sidney, Montana, appointed for a term ending January 2, 1989

Respectfully report as follows:

That said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Plumbers: 3/22/85

James W. Allen, Missoula, Montana, appointed for a term ending July 1, 1987
Dan Fraser, Helena, Montana, appointed for a term ending July 1, 1989
Thor A. Jackola, Kalispell, Montana, appointed for a term ending May 4, 1988
Donald Kristensen, Bozeman, Montana, appointed for a term ending May 4, 1987

R.W. Lyford, Kalispell, Montana, appointed for a term ending May 4, 1987
Monty F. Patterson, Billings, Montana, appointed for a term ending May 4, 1986
Alve Thomas, Helena, Montana, appointed for a term ending July 1, 1987

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Optometrists:

Dr. A.S. Kautz, Billings, Montana, appointed for a term ending April 3, 1988
Dr. Kenneth R. Zuroff, Glendive, Montana, appointed for a term ending April 3, 1989

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Pardons:

Henry E. Burgess, Helena, Montana, appointed for a term ending January 2, 1989
Anthony J. Marra, Havre, Montana, appointed for a term ending January 2, 1989
James Welch, Missoula, Montana, appointed for a term ending January 2, 1989

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Personnel Appeals:

John Astle, Butte, Montana, appointed for a term ending January 2, 1989
Alan L. Joscelyn, Helena, Montana, appointed for a term ending January 2, 1989
Lloyd Markell, Helena, Montana, appointed for a term ending January 2, 1989

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Pharmacy:

D. Wayne Bollinger, Kalispell, Montana, appointed for a term ending July 1, 1987
Rebecca H. Deschamps, Missoula, Montana, appointed for a term ending July 1, 1989
Kristin Hartley, Deer Lodge, Montana, appointed for a term ending July 1, 1987
Diana M. Pennell, Lewistown, Montana, appointed for a term ending July 1, 1988

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Physical Therapy Examiners:

Richard E. Bartow, Great Falls, Montana, appointed for a term ending July 1, 1986
Richard L. DonTigny, Havre, Montana, appointed for a term ending July 1, 1987

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Adverse Committee Reports

TAXATION (Towe, Chairman): 4/12/85
HB 851, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams.
Total 41

Noes: Bengtson, Brown, Manning, Mazurek, Neuman, Towe, Yellowtail, Mr. President.
Total 8

Excused: None.
Total 0

Absent or not voting: Blaylock.
Total 1

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill No. 289
Report No. 1, April 11, 1985

Mr. President:

We, your Free Conference Committee on Senate Bill No. 289 met and considered:

Senate Bill No. 289

We recommend as follows:

That Senate Bill No. 289, reference copy, be amended as follows:

1. Page 2, line 18.
Following: "legislature"
Strike: "refuses to fund"
Insert: "determines that funding is not available to pay for"

2. Page 2, line 23.
Following: "."
Insert: "No rule, policy, or standard with a substantial financial impact shall be implemented without legislative funding."

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Blaylock, Chairman	Hannah, Chairman
Pinsoneault	Nelson
E. Smith	Harrington
	Peck

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 11, 1985

Dear Mr. President:

This is to inform you that I have signed Senate Bill No. 308 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 11, 1985

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 91, 99, 105, 181, 334, 343, and 372 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The House, on 4/11/85, dissolved the conference committee on House amendments to SB 110 and appointed a free conference committee to meet with a committee from the Senate.

The Speaker appointed the following members:

Representative Mercer

Representative Cobb
Representative Addy
Representative Rapp-Svrcek

The House, on 4/11/85, dissolved the conference committee on House amendments to SB 289 and appointed a free conference committee to meet with a committee from the Senate.

The Speaker appointed the following members:

Representative Hannah
Representative Harrington
Representative Nelson
Representative Peck

The House, on 4/11/85, dissolved the conference committee on Senate amendments to HB 582 and voted to reconsider action on the amendments and place them on second reading.

MOTIONS

Senator Fuller moved that the President be authorized to dissolve the conference committee on House amendments to SB 416 and that he be authorized to appoint a free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Fuller, Chairman
Senator Mohar
Senator Thayer

Senator Towe moved that the President be authorized to dissolve the conference committee on House amendments to SB 411 and that he be authorized to appoint a free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Towe, Chairman
Senator Yellowtail
Senator Galt

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on Senate amendments to HB 127. Motion carried unanimously.

The President appointed the following members:

Senator Williams, Chairman
Senator Halligan
Senator Gage

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on Senate amendments to HB 585. Motion carried unanimously.

The President appointed the following members:

Senator Daniels, Chairman
Senator Mazurek
Senator Galt

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on Senate amendments to HB 686. Motion carried unanimously.

The President appointed the following members:

Senator Jacobson, Chairman
Senator Lynch
Senator Stephens

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on Senate amendments to HB 707. Motion carried unanimously.

The President appointed the following members:

Senator Lynch, Chairman
Senator Manning
Senator Gage

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on House amendments to SB 142. Motion carried unanimously.

The President appointed the following members:

Senator Halligan, Chairman
Senator Towe
Senator Severson

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 279 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 815 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Severson,

Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Goodover, Himsl, Jacobson, Keating, Lynch, Neuman, Regan.
Total 7

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Mohar in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SJR 39 - That SJR 39 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 106 - That the conference committee report on House amendments to SB 106 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.

Total 0

HB 168 - That HB 168 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 869 - That HB 869 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 924 - That HB 924 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 265 - That the conference committee report on Senate amendments to HB 265 be adopted. Senator Galt made a substitute motion

that the conference committee report on Senate amendments to HB 265 be not adopted. Substitute motion failed as follows:

Ayes: Aklestad, Anderson, Boylan, Crippen, Daniels, Gage, Galt, Goodover, Hager, Hammond, Keating, Kolstad, Lane, McCallum, Neuman, Pinsoneault, Severson, Shaw, Stephens, Story, Thayer, Tveit.
Total 22

Noes: Bengtson, Blaylock, Brown, Christiaens, Conover, Eck, Farrell, Fuller, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Lybeck, Lynch, Manning, Mazurek, Mohar, Regan, Smith, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 28

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That the conference committee report on Senate amendments to HB 265 be adopted. Motion carried as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Eck, Farrell, Fuller, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Regan, Smith, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 30

Noes: Aklestad, Anderson, Boylan, Conover, Crippen, Daniels, Gage, Galt, Goodover, Hammond, Keating, Kolstad, McCallum, Neuman, Pinsoneault, Severson, Shaw, Stephens, Story, Tveit.
Total 20

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Mohar moved the adoption of the committee report. Report adopted.

SPECIAL ORDERS OF THE DAY

Senator Haffey moved the appointment of:

Donald D. Cecil, Billings, Montana, appointed for a term ending February 2, 1989;

George Robert Crotty, Great Falls, Montana, appointed for a term ending January 2, 1989;

Robert Penner, Wolf Point, Montana, appointed for a term ending January 2, 1989;

as members of the Board of Oil and Gas Conservation be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek,

McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Weeding.
Total 1

Senator Haffey moved the appointment of:

Arnold G. Hansen, Sidney, Montana, appointed for a term ending January 2, 1989;

as a member of the Board of Oil and Gas Conservation be concurred in and the Senate Resolution of such confirmation be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Goodover, Haffey, Halligan, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 35

Noes: Aklestad, Anderson, Gage, Galt, Hager, Hammond, Harding, Keating, Kolstad, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 15

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Haffey moved the appointment of:

Dr. A.S. Kautz, Billings, Montana, appointed for a term ending April 3, 1988;
Dr. Kenneth R. Zuroff, Glendive, Montana, appointed for a term ending April 3, 1989;

as members of the Board of Optometrists be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Gage, Keating, Shaw, Story, Tveit.
Total 5

Senator Haffey moved the appointment of:

Henry E. Burgess, Helena, Montana, appointed for a term ending January 2, 1989;
Anthony J. Marra, Havre, Montana, appointed for a term ending January 2, 1989;
James Welch, Missoula, Montana, appointed for a term ending January 2, 1989;

as members of the Board of Pardons be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: McCallum.
Total 1

Excused: None.
Total 0

Absent or not voting: Aklestad, Gage, Keating, Kolstad, Smith, Story.
Total 6

Senator Haffey moved the appointment of:

John Astle, Butte, Montana, appointed for a term ending January 2, 1989;
Alan L. Joscelyn, Helena, Montana, appointed for a term ending January 2, 1989;
Lloyd Markell, Helena, Montana, appointed for a term ending January 2, 1989;

as members of the Board of Personnel Appeals be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Boylan, Gage, Keating, Smith, Story, Tveit.
Total 6

Senator Haffey moved the appointment of:

D. Wayne Bollinger, Kalispell, Montana, appointed for a term ending July 1, 1987;

Rebecca H. Deschamps, Missoula, Montana, appointed for a term ending July 1, 1989;

Kristin Hartley, Deer Lodge, Montana, appointed for a term ending July 1, 1987;

Diana M. Pennell, Lewistown, Montana, appointed for a term ending July 1, 1988;

as members of the Board of Pharmacy be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Gage, Smith.
Total 2

Senator Haffey moved the appointment of:

Richard E. Bartow, Great Falls, Montana, appointed for a term ending July 1, 1986;

Richard L. DonTigny, Havre, Montana, appointed for a term ending July 1, 1987;

as members of the Board of Physical Therapy Examiners be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Brown, Gage, Smith.
Total 3

Senator Haffey moved the appointment of:

James W. Allen, Missoula, Montana, appointed for a term ending July 1, 1987;

Dan Fraser, Helena, Montana, appointed for a term ending July 1, 1989;
Thor A. Jackola, Kalispell, Montana, appointed for a term ending May 4, 1988;
Donald Kristensen, Bozeman, Montana, appointed for a term ending May 4, 1987;
R.W. Lyford, Kalispell, Montana, appointed for a term ending May 4, 1987;
Monty F. Patterson, Billings, Montana, appointed for a term ending May 4, 1986;
Alve Thomas, Helena, Montana, appointed for a term ending July 1, 1987;

as members of the Board of Plumbers be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Gage, Smith, Tveit.
Total 3

MOTIONS

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on Senate amendments to HB 471. Motion carried unanimously.

The President appointed the following members:

Senator Blaylock, Chairman
Senator McCallum
Senator Haffey

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on Senate amendments to HB 608. Motion carried unanimously.

The President appointed the following members:

Senator Blaylock, Chairman
Senator Yellowtail
Senator Brown

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on Senate amendments to HB 885. Motion carried unanimously.

The President appointed the following members:

Senator Fuller, Chairman
Senator Mohar
Senator Crippen

Senator Van Valkenburg moved that the Senate recess, subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 3:36 p.m.

Senate reconvened at 5:46 p.m.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill No. 140
Report No. 1, April 12, 1985

Mr. President:

We, your Free Conference Committee on Senate Bill No. 140 met and considered:

Senate Bill No. 140

We recommend as follows:

That Senate Bill No. 140, reference copy, be amended as follows:

1. Page 2.
Following: line 2
Insert: "(3) Nothing in this section shall apply to the acquisition of conservation easements as set forth in Title 76, chapter 6."

And that this Free Conference Committee report be adopted.

For the Senate:

Christiaens, Chairman
Farrell
Haffey

For the House:

Darko, Chairman
Gilbert
Gould
Kadas

Free Conference Committee
on Senate Bill No. 411
Report No. 1, April 12, 1985

Mr. President:

We, your Free Conference Committee on Senate Bill No. 411 met and considered:

Senate Bill No. 411

We recommend as follows:

That Senate Bill No. 411, reference copy, be amended as follows:

1. Page 6, line 16.
Following: "individual"
Insert: "must be at least 12 years of age but less than"

2. Page 6, lines 17 and 18.
Following: "~~than~~"
Strike: "MAY NOT BE UNDER 12 YEARS OF AGE OR MORE THAN"

And that this Free Conference Committee report be adopted.

For the Senate:

Towe, Chairman
Yellowtail
Galt

For the House:

Bradley, Chairman
Cobb
Eudaily
Keenan

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 12, 1985

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 208, 214, and 249 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The House, on 4/2/85, failed to concur in Senate amendments to HB 44 and appointed a conference committee, requesting that the Senate appoint a committee to confer on Senate amendments to HB 44.

The Speaker appointed the following members:

Representative Gilbert
Representative Hannah
Representative Miles
Representative Waldron

The House, on 4/9/85, failed to concur in Senate amendments to HB 681 and appointed a conference committee, requesting that the Senate appoint a committee to confer on Senate amendments to HB 681.

The Speaker appointed the following members:

Representative J. Brown
Representative Keyser
Representative Spaeth
Representative Winslow

The House, on 4/2/85, failed to concur in Senate amendments to HB 146 and appointed a free conference committee, requesting that the Senate appoint a committee to confer on Senate amendments to HB 146.

The Speaker appointed the following members:

Representative Driscoll
Representative Fritz
Representative Lory
Representative Keyser

The House, on 4/12/85, acceded to the request of the Senate and appointed a conference committee to meet with a committee from the Senate to confer on House amendments to SB 321.

The Speaker appointed the following members:

Representative Cobb
Representative Krueger
Representative Mercer
Representative Miles

The House, on 4/12/85, dissolved the conference committee on House amendments to SB 411 and appointed a free conference committee to meet with a committee from the Senate to confer on SB 411.

The Speaker appointed the following members:

Representative Bradley
Representative Cobb
Representative Eudaily
Representative Keenan

The House, on 4/12/85, dissolved the conference committee on House amendments to SB 416 and appointed a free conference committee to meet with a committee from the Senate to confer on SB 416.

The Speaker appointed the following members:

Representative Brandewie
Representative Harbin
Representative Sales
Representative Schye

The House, on 4/12/85, dissolved the conference committee on Senate amendments to HB 793 and appointed a free conference committee to meet with a committee from the Senate to confer on HB 793.

The Speaker appointed the following members:

Representative Addy
Representative Eudaily
Representative Hannah
Representative Keenan

MOTIONS

Senator Van Valkenburg moved that the Senate recess, subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 5:51 p.m.

Senate reconvened at 6:40 p.m.

Senator Regan excused at this time.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate amendments to House bill concurred in: 4/12/85

HB 844, introduced by Patterson, et al.

Conference committee reports adopted: 4/12/85

HB 265, conference committee report

SB 106, conference committee report

SB 289, free conference committee report

The House, on 4/12/85, dissolved the conference committee on House amendments to SB 54 and appointed a free conference committee to meet with a committee from the Senate to confer on SB 54.

The Speaker appointed the following members:

Representative Bergene
Representative Eudaily
Representative Miles
Representative Spaeth

MOTIONS

Senator Van Valkenburg moved that the rules be temporarily suspended for the following purposes:

1. That the Senate will accept all House bills that have passed third reading in the House through the 80th legislative day;

2. That the Senate will suspend the rules to accept all Senate bills that passed with any House amendments to them by the 85th legislative day;

3. To act on these bills in such a fashion so HB 375 is the last matter the Senate will take up after other matters are considered.

Senator Van Valkenburg amended section 3 to read:

3. HB 375 will be considered after HB 500 has passed and been returned to the House.

Motion failed as follows:

Ayes: Bengtson, Blaylock, Boylan, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 28

Noes: Aklestad, Anderson, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 22

Paired: Regan, Aye; Crippen, McCallum, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the Senate adjourn until 9:00 a.m., April 13, 1985.

Motion carried.

Senate adjourned at 6:57 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

EIGHTIETH LEGISLATIVE DAY

Helena, Montana
April 13, 1985

Senate Chambers
State Capitol

Senate convened at 9:08 a.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the seventy-ninth legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 4/12/85

Signed by the President at 12:30 p.m., 4/12/85: SB 25, SB 89, SB 168, SB 183, SB 268, SB 283, SB 309, SB 320, SB 322, SB 323, SB 331, SB 369, SB 371, SB 375, SB 412, SB 438, SB 451.

Signed by the President at 3:00 p.m., 4/12/85: HB 95, HB 101, HB 114, HB 121, HB 183, HB 235, HB 298, HB 323, HB 331, HB 333, HB 338, HB 340, HB 363, HB 420, HB 426, HB 436, HB 445, HB 474, HB 475, HB 488, HB 497, HB 710.

Considered correctly engrossed: SJR 39. 4/13/85

Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 4/13/85

Recommend that at the close of business April 13, 1985, the following employment be terminated:

Joan Steinbeisser ..... Page
Janet Steinbeisser ..... Page
Rebecca Court ..... Page
Vincent Micone ..... Page
Jennifer Ryan ..... Page
Suzanne Solomon ..... Page
Lisa Lemire ..... Page
Bronwyn Price ..... Page

Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 3/22/85

Having had under consideration the Governor's appointments of the following members of the Board of Private Security Patrolmen and Investigators:

A.E. Anderson, Fort Benton, Montana, appointed for a term ending August 1, 1987

Clayton Bain, Helena, Montana, reappointed for a term ending August 1, 1987

George G. Evans, Butte, Montana, appointed for a term ending August 1, 1986

David E. McAllister, Victor, Montana, appointed for a term ending August 1, 1986

Al Murphy, Missoula, Montana, appointed for a term ending August 1, 1985

Thomas J. O'Brien, Billings, Montana, appointed for a term ending August 1, 1985

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Professional Engineers and Land Surveyors:

David F. Gibson, Bozeman, Montana, appointed for a term ending April 23, 1987
Richard E. Guenzi, Glendive, Montana, appointed for a term ending July 1, 1987
Robert T. Hafferman, Kalispell, Montana, appointed for a term ending April 23, 1988
A.T. Kersich, Billings, Montana, appointed for a term ending April 23, 1988
Nancy K. Moe, Missoula, Montana, appointed for a term ending March 31, 1987

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Psychologists:

Dr. Arthur L. Beaman, Missoula, Montana, appointed for a term ending September 1, 1987
Kent Elliott, Miles City, Montana, appointed for a term ending October 1, 1986
James Charles Whitehead, Helena, Montana, appointed for a term ending October 1, 1987

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Public Accountants:

Robert B. Bragg, Missoula, Montana, appointed for a term ending July 1, 1987
Ray A. Curtis, Billings, Montana, appointed for a term ending July 1, 1986
James D. Stover, Missoula, Montana, appointed for a term ending July 1, 1987

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Public Education:

Sarah Listerud, Wolf Point, Montana, appointed for a term ending February 1, 1991
Bill Thomas, Great Falls, Montana, appointed for a term ending February 1, 1986
Alan D. Nicholson, Helena, Montana, appointed for a term ending February 1, 1992

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Radiologic Technologists:

Rosemary K. Cuskelly, Missoula, Montana, appointed for a term ending July 1, 1987
Adrian C. Howe, Helena, Montana, appointed for a term ending July 1, 1985
Dail F. Lodge, Bozeman, Montana, appointed for a term ending July 1, 1986
Howard N. Mazurkiewicz, Great Falls, Montana, appointed for a term ending July 1, 1987
Margaret Mothershead, Big Timber, Montana, appointed for a term ending July 1, 1987
Alice M. O'Donnell, Anaconda, Montana, appointed for a term ending July 1, 1987
Lon D. Rominger, Great Falls, Montana, appointed for a term ending July 1, 1986

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Realty Regulation:

John B. Dudis, Kalispell, Montana, appointed for a term ending May 9, 1987
Lyle E. McKenna, Lewistown, Montana, appointed for a term ending May 9, 1988
Patricia Raundal, Helena, Montana, appointed for a term ending May 9, 1987

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Regents of Higher Education:

Dennis E. Lind, Missoula, Montana, appointed for a term ending February 1, 1989
Elsie J. Redlin, Lambert, Montana, appointed for a term ending February 1, 1991

David Paoli, Missoula, Montana, appointed for a term ending February 1, 1986

John Scully, Bozeman, Montana, appointed for a term ending February 1, 1992

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 106, conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Severson.
Total 1

HB 265, conference committee report, adopted as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Eck, Farrell, Fuller, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Regan, Smith, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 29

Noes: Aklestad, Anderson, Boylan, Conover, Crippen, Daniels, Gage, Galt, Goodover, Hammond, Keating, Kolstad, McCallum, Neuman, Pinsoneault, Severson, Shaw, Stephens, Story, Thayer, Tveit.
Total 21

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Kolstad in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 140 - That the free conference committee report on SB 140 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 289 - That the free conference committee report on SB 289 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 411 - That the free conference committee report on SB 411 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.

Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Kolstad moved the adoption of the committee report. Report adopted.

SPECIAL ORDERS OF THE DAY

Senator Haffey moved the appointment of:

A.E. Anderson, Fort Benton, Montana, appointed for a term ending August 1, 1987;
Clayton Bain, Helena, Montana, reappointed for a term ending August 1, 1987;
George G. Evans, Butte, Montana, appointed for a term ending August 1, 1986;
David E. McAllister, Victor, Montana, appointed for a term ending August 1, 1986;
Al Murphy, Missoula, Montana, appointed for a term ending August 1, 1985;
Thomas J. O'Brien, Billings, Montana, appointed for a term ending August 1, 1985;

as members of the Board of Private Security Patrolmen and Investigators be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Lynch.
Total 1

Senator Haffey moved the appointment of:

David F. Gibson, Bozeman, Montana, appointed for a term ending April 23, 1987;
Richard E. Guenzi, Glendive, Montana, appointed for a term ending July 1, 1987;
Robert T. Hafferman, Kalispell, Montana, appointed for a term ending April 23, 1988;
A.T. Kersich, Billings, Montana, appointed for a term ending April 23, 1988;
Nancy K. Moe, Missoula, Montana, appointed for a term ending March 31, 1987;

as members of the Board of Professional Engineers and Land Surveyors be concurred in and the Senate Resolution of such confirmations be adopted

and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Tveit.
Total 1

Senator Haffey moved the appointment of:

Dr. Arthur L. Beaman, Missoula, Montana, appointed for a term ending September 1, 1987;
Kent Elliott, Miles City, Montana, appointed for a term ending October 1, 1986;
James Charles Whitehead, Helena, Montana, appointed for a term ending October 1, 1987;

as members of the Board of Psychologists be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Tveit.
Total 1

Senator Haffey moved the appointment of:

Robert B. Bragg, Missoula, Montana, appointed for a term ending July 1, 1987;
Ray A. Curtis, Billings, Montana, appointed for a term ending July 1, 1986;
James D. Stover, Missoula, Montana, appointed for a term ending July 1, 1987;

as members of the Board of Public Accountants be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Tveit.
Total 1

Senator Haffey moved the appointment of:

Sarah Listerud, Wolf Point, Montana, appointed for a term ending February 1, 1991;
Bill Thomas, Great Falls, Montana, appointed for a term ending February 1, 1986;
Alan D. Nicholson, Helena, Montana, appointed for a term ending February 1, 1992;

as members of the Board of Public Education be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Haffey moved the appointment of:

Rosemary K. Cuskelly, Missoula, Montana, appointed for a term ending July 1, 1987;
Adrian C. Howe, Helena, Montana, appointed for a term ending July 1, 1985;
Dail F. Lodge, Bozeman, Montana, appointed for a term ending July 1, 1986;
Howard N. Mazurkiewicz, Great Falls, Montana, appointed for a term ending July 1, 1987;
Margaret Mothershead, Big Timber, Montana, appointed for a term ending July 1, 1987;
Alice M. O'Donnell, Anaconda, Montana, appointed for a term ending July 1, 1987;

Lon D. Rominger, Great Falls, Montana, appointed for a term ending July 1, 1986;

as members of the Board of Radiologic Technologists be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Haffey moved the appointment of:

John B. Dudis, Kalispell, Montana, appointed for a term ending May 9, 1987;
Lyle E. McKenna, Lewistown, Montana, appointed for a term ending May 9, 1988;
Patricia Raundal, Helena, Montana, appointed for a term ending May 9, 1987;

as members of the Board of Realty Regulation be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Haffey moved the appointment of:

Dennis E. Lind, Missoula, Montana, appointed for a term ending February 1, 1989;
Elsie J. Redlin, Lambert, Montana, appointed for a term ending February 1, 1991;
David Paoli, Missoula, Montana, appointed for a term ending February 1, 1986;

John Scully, Bozeman, Montana, appointed for a term ending February 1, 1992;

as members of the Board of Regents of Higher Education be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Hammond, Shaw, Thayer.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of Senator Van Valkenburg, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate recess, subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 9:37 a.m.

Senate reconvened at 11:05 a.m.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate amendments to House bill concurred in: 4/13/85

HB 582, introduced by Wallin

Free conference committee reports adopted: 4/13/85

SB 140, free conference committee report

SB 411, free conference committee report

The House, on 4/13/85, acceded to the request of the Senate and appointed a conference committee to meet with a committee from the Senate to confer on House amendments to SB 142.

The Speaker appointed the following members:

Representative Addy
Representative Gilbert
Representative Switzer
Representative M. Williams

The House, on 4/12/85, failed to concur in Senate amendments to HB 236 and appointed a conference committee, requesting that the Senate appoint a committee to confer on Senate amendments to HB 236.

The Speaker appointed the following members:

Representative Jones

Representative Mercer
Representative Pavlovich
Representative Spaeth

MOTIONS

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on Senate amendments to HB 775. Motion carried unanimously.

The President appointed the following members:

Senator Mohar, Chairman
Senator Conover
Senator Harding

Senator Van Valkenburg moved that the President be empowered to appoint a free conference committee to meet with a committee from the House of Representatives to confer on HB 737. Motion carried unanimously.

The President appointed the following members:

Senator Lynch, Chairman
Senator Neuman
Senator Stephens

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on Senate amendments to HB 900. Motion carried unanimously.

The President appointed the following members:

Senator Fuller, Chairman
Senator Hirsch
Senator Story

Senator Van Valkenburg moved that the rules be temporarily suspended for the following purposes:

1. That the Senate will accept all House bills that have passed third reading in the House, which would have been required to meet the 70th day transmittal deadline, through the 80th day;

2. That the Senate will suspend the rules to accept all Senate bills that pass with any House amendments to them through the 85th legislative day;

3. HB 375 will not be considered on 2nd reading until HB 500 has passed and been returned to the House; and

4. HB 922 will be accepted in the Senate through the 81st legislative day. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Aklestad, Goodover, Shaw.

Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg requested a ruling of the President that the President be authorized to assign bills just accepted to committees this day. The President so ruled.

Senator Van Valkenburg moved that the Senate adjourn until 1:30 p.m., April 15, 1985.

Motion carried.

Senate adjourned at 11:22 a.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

EIGHTY-FIRST LEGISLATIVE DAY

Helena, Montana
April 15, 1985

Senate Chambers
State Capitol

Senate convened at 1:33 p.m., President Norman presiding. Invocation by the Chaplain, Pastor Monsen. Pledge of Allegiance to the Flag.

Roll call. All members present except Farrell, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journals for the seventy-ninth and eightieth legislative days, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 4/15/85

Delivered to the Governor for his approval at 10:00 a.m., 4/15/85: SB 25, SB 89, SB 168, SB 183, SB 268, SB 283, SB 309, SB 320, SB 322, SB 323, SB 331, SB 369, SB 371, SB 375, SB 412, SB 438, SB 451.

Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 4/15/85

Recommend that at the beginning of business April 15, 1985, the following be employed:

Rachelle LaGree.....Page
Melanie Engen.....Page
Kris Warner.....Page
Pat Thornquist.....Page
Koel Abell.....Page
Alan Lohof.....Page
Christy Eames.....Page
Scott Koterba.....Page

Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 3/22/85

Having had under consideration the Governor's appointments of the following members of the Board of Sanitarians:

Stella J. Hansen, Missoula, Montana, appointed for a term ending July 1, 1987

Samuel R. Kalafat, Black Eagle, Montana, appointed for a term ending July 1, 1986

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Social and Rehabilitation Appeals:

Minnie Ellen Fritzler, Crow Agency, Montana, appointed for a term ending January 1, 1987

Gerald D. Schultz, Hamilton, Montana, appointed for a term ending January 2, 1989

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Social Work Examiners:

Peter C. Guthridge, Billings, Montana, appointed for a term ending January 7, 1989
Patrick J. Kelly, Miles City, Montana, appointed for a term ending January 1, 1987
James J. Pomroy, Helena, Montana, appointed for a term ending January 1, 1987
Suzanne G. Tiddy, Helena, Montana, appointed for a term ending January 7, 1989
Linda J. Williams, Huntley, Montana, appointed for a term ending January 7, 1989

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Speech Pathologists and Audiologists:

Gene W. Bukowski, Billings, Montana, appointed for a term ending December 31, 1986
Patti DuBray, Billings, Montana, appointed for a term ending December 31, 1986
Bette J. Hiner, Helena, Montana, appointed for a term ending December 31, 1987
Carol B. Schellack, Dillon, Montana, appointed for a term ending December 31, 1987

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointment of the following member of the State Tax Appeal Board:

Mary Hempleman, Great Falls, Montana, appointed for a term ending March 1, 1991

Respectfully report as follows:

That said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Veterans' Affairs:

Bernadette A. Opp, Missoula, Montana, appointed for a term ending May 18, 1988

Neil Shepherd, Chester, Montana, appointed for a term ending May 18, 1989

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Veterinarians:

Dr. John C. Burkhartsmeyer, Helena, Montana, appointed for a term ending July 31, 1988
Dr. William J. Quinn, Bozeman, Montana, appointed for a term ending July 31, 1989

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointment of the following member of the Board of Water Well Contractors:

T.F. Benes, Billings, Montana, appointed for a term ending July 1, 1986

Respectfully report as follows:

That said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

TAXATION (Towe, Chairman): 4/15/85

HB 625, Committee on Taxation Standing Committee Report of 4/15/85, be amended as follows:

1. Amendment No. 2.
Strike: inserted material in its entirety
Insert: "Section 5. Section 7-12-4407, MCA, is amended to read:

"7-12-4407. Protest against ordinance for improvements. ~~If 40% or more of the abutting property owners protest in writing to said city or town council against the passage of said proposed ordinance, then no further action shall be taken upon the proposed district for 1 year.~~ No further action shall be taken upon the proposed district for 1 year if a written protest against passage of the proposed ordinance is filed by:

(1) owners of property within the proposed maintenance district having a taxable valuation, when aggregated, representing not less than 50% of the total taxable valuation of property within the district;

(2) not less than 50% of the owners of property within the district; or

(3) owners of property within the proposed maintenance district having projected assessments, when aggregated, representing not less than 50% of the total projected assessments for property within the district.""

And, as amended, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

Conference Committee
on Senate Bill No. 66
Report No. 1, April 12, 1985

Mr. President:

We, your Conference Committee on Senate Bill No. 66 met and considered:

House Amendments to Senate Bill No. 66, April 11, 1985.

We recommend as follows:

That Senate Bill No. 66, reference copy, be amended as follows:

1. Page 3, line 22.
Following: ";"
Strike: "OR"

2. Page 3, line 25.
Following: "~~ESTATE~~"
Insert: "; or

(f) a transfer of real estate"

And that this Conference Committee report be adopted.

For the Senate:	For the House:
Halligan, Chairman	Addy
Yellowtail	Krueger
Shaw	Mercer
	Ramirez

Free Conference Committee
on Senate Bill No. 416
Report No. 1, April 12, 1985

Mr. President:

We, your Free Conference Committee on Senate Bill No. 416 met and considered:

Senate Bill No. 416.

We recommend as follows:

That Senate Bill No. 416, reference copy, be amended as follows:

1. Page 4, lines 2 and 3.
Following: "~~MONTANA~~" on line 2
Insert: "the state of Montana"
Strike: remainder of line 2 through "COUNTIES" on line 3

2. Page 4, line 5.
Following: "~~and~~"
Strike: "OR"
Insert: "and"

And that this Free Conference Committee report be adopted.

For the Senate: For the House:

Fuller, Chairman
Mohar
Thayer
Brandewie
Harbin
Sales
Schye

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 13, 1985

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 12, 55, 57, 88, 95, 156, 234, and 247 on April 12, 1985.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bills concurred in and returned to the Senate: 4/4/85

SB 77, introduced by Jacobson

SB 319, introduced by Jacobson, Bergene

Senate bill, in Committee of the Whole, laid on the table and returned to the Senate: 4/4/85

SB 287, introduced by Bengtson

House bills passed and transmitted to the Senate for concurrence: 4/4/85

HB 904, introduced by Winslow, et al.

HB 915, introduced by Grady, et al.

HB 950, introduced by J. Moore, Swift

HB 954, introduced by Thomas, et al.

Senate bill concurred in and returned to the Senate: 4/5/85

SB 250, introduced by Mazurek, et al.

Senate bills concurred in as amended and returned to the Senate for concurrence in House amendments: 4/5/85

SB 204, introduced by Mazurek

SB 361, introduced by Haffey, et al.

SB 400, introduced by Yellowtail, et al.

SB 419, introduced by Conover, et al.

SB 449, introduced by Regan, et al.

SB 462, introduced by Gage, Keating

Senate bill, as amended, not concurred in and returned to the Senate: 4/5/85

SB 376, introduced by Towe, Bardanouve

Governor's amendments to House bill concurred in and returned to the Senate for concurrence in Governor's amendments: 4/5/85

HB 394, introduced by D. Brown, Krueger

Senate bills concurred in as amended and returned to the Senate for concurrence in House amendments: 4/8/85

SB 390, introduced by Mazurek, et al.

SB 452, introduced by Bardanouve, et al.

House bills passed and transmitted to the Senate for concurrence: 4/8/85

HB 12, introduced by Bardanouve

HB 826, introduced by Ellerd, et al.

House bill passed and transmitted to the Senate for concurrence: 4/9/85

HB 473, introduced by Pavlovich, et al.

Senate bill concurred in and returned to the Senate: 4/10/85

SJR 31, introduced by Christiaens, et al.

Governor's amendments to Senate bills concurred in and returned to the Senate for concurrence in Governor's amendments: 4/10/85

SB 79, introduced by Christiaens

SB 93, introduced by Christiaens, et al.

SB 165, introduced by Goodover, et al.

House bills passed and transmitted to the Senate for concurrence: 4/10/85

HB 45, introduced by Waldron

HB 375, introduced by Bardanouve

HB 500, introduced by Bardanouve

HB 812, introduced by Bradley, et al.

HB 919, introduced by Bardanouve

HB 958, introduced by Marks, et al.

Senate bill concurred in as amended and returned to the Senate for concurrence in House amendments: 4/11/85

SB 129, introduced by Boylan, et al.

House bills passed and transmitted to the Senate for concurrence: 4/11/85

HJR 42, introduced by Kitselman, Marks

HJR 43, introduced by Lory, et al.

HJR 45, introduced by Connelly, et al.

HJR 50, introduced by Thoft, et al.

House bills passed and transmitted to the Senate for concurrence: 4/12/85

HJR 44, introduced by Winslow

HJR 47, introduced by Harbin, et al.

HJR 49, introduced by Quilici, et al.

HJR 51, introduced by Connelly, et al.

Senate bill concurred in and returned to the Senate: 4/13/85

SB 379, introduced by Weeding, et al.

Senate bills concurred in as amended and returned to the Senate for concurrence in House amendments: 4/13/85

SB 22, introduced by Story

SJR 32, introduced by B. Brown, Schye

House bills passed and transmitted to the Senate for concurrence: 4/13/85

HJR 52, introduced by Harrington, et al.

HJR 54, introduced by Winslow, Bradley

MOTIONS

Senator Van Valkenburg moved that the President be authorized to dissolve the conference committee on Senate amendments to HB 923 and that he be authorized to appoint a free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Norman, Chairman
Senator Van Valkenburg
Senator Stephens

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on Senate amendments to HB 286. Motion carried unanimously.

The President appointed the following members:

Senator Lybeck, Chairman
Senator Boylan
Senator Tveit

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on Senate amendments to HB 438. Motion carried unanimously.

The President appointed the following members:

Senator Towe, Chairman
Senator Brown
Senator Eck

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on Senate amendments to HB 444. Motion carried unanimously.

The President appointed the following members:

Senator Towe, Chairman
Senator Eck
Senator Brown

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House

of Representatives to confer on Senate amendments to HB 554. Motion carried unanimously.

The President appointed the following members:

Senator Neuman, Chairman
Senator Towe
Senator Thayer

Senator Van Valkenburg moved that the Senate accede to the request of the House of Representatives and appoint a free conference committee to confer on HB 616. Motion carried unanimously.

The President appointed the following members:

Senator Mazurek, Chairman
Senator Halligan
Senator Hager

Senator Eck moved that the Senate reconsider its action in rejecting the House amendments to SB 431. Motion withdrawn.

Senator Eck moved that the rules be temporarily suspended in order for the Senate to reconsider its action in rejecting the House amendments to SB 431. Motion failed as follows:

Ayes: Bengtson, Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Story, Towe, Van Valkenburg, Weeding, Yellowtail.
Total 24

Noes: Aklestad, Anderson, Boylan, Brown, Crippen, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lynch, McCallum, Severson, Shaw, Smith, Stephens, Thayer, Tveit, Williams, Mr. President.
Total 25

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

Senator Mazurek moved that the President be authorized to dissolve the conference committee on Senate amendments to HB 585 and that he be authorized to appoint a free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Daniels, Chairman
Senator Mazurek
Senator Galt

Senator Brown moved that the Senate reconsider its action in adopting the adverse committee report on HB 851. Motion failed as follows:

Ayes: Anderson, Bengtson, Brown, Conover, Crippen, Eck, Fuller, Harding, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Regan, Stimatz, Story, Towe, Yellowtail, Mr. President.
Total 22

Noes: Aklestad, Boylan, Christiaens, Daniels, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Himsl, Hirsch, Jacobson, Keating,

Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Thayer, Tveit, Van Valkenburg, Weeding.
Total 25

Excused: Farrell.
Total 1

Absent or not voting: Blaylock, Williams.
Total 2

FIRST READING OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 12, introduced by Bardanouve, (By Request of the Legislative Finance Committee). Referred to Committee on Finance and Claims.

HB 45, introduced by Waldron, (By Request of the Office of Budget and Program Planning). Referred to Committee on Taxation.

HB 375, introduced by Bardanouve, (By Request of the Department of Administration). Referred to Committee on Labor and Employment Relations.

HB 473, introduced by Pavlovich, D. Brown, J.K. Moore, Ellison, Miller, Phillips, Patterson, Kitselman, Hannah, Sands, Peck, Manning, Keyser, Lybeck, Lane, Ellerd, Hayne, Boylan, E. Smith, McCallum. Referred to Committee on Rules.

HB 500, introduced by Bardanouve, (By Request of the Office of Budget and Program Planning). Referred to Committee on Finance and Claims.

HB 812, introduced by Bradley, Haffey, Vincent, Keenan, Crippen, J.K. Moore, Towe, Menahan, Eck, Fuller, Hand, Thayer, Jacobson, Addy, Asay, J. Hammond, Pavlovich, Harrington, Ream, Rapp-Svrcek, Spaeth, Christiaens, Harp, Boylan, Quilici, Krueger, Bengtson, Peck, Nisbet, Blaylock, Campbell, Lynch, Brandewie, Connelly, Wallin, Gage, Ernst, Manuel, (By Request of the Council on Science and Technology). Referred to Committee on Finance and Claims.

HB 826, introduced by Ellerd, Boylan, Anderson, Keyser. Referred to Committee on Taxation.

HB 904, introduced by Winslow, Miller, Donaldson. Referred to Committee on Rules.

HB 915, introduced by Grady, Schultz, Koehnke, J.K. Moore, Poff, Rapp-Svrcek, Asay, Glaser, Donaldson, Cobb, Ellison, Hayne, Nathe, Spaeth, Campbell, Shaw, Thoft, Marks, Holliday, Jenkins, Tveit, Abrams, Keyser, Switzer, Iverson, Gilbert, Patterson, Severson, Schye, Devlin, Lane, Boylan, Conover. Referred to Committee on Taxation.

HB 919, introduced by Bardanouve. Referred to Committee on Finance and Claims.

HB 950, introduced by J. Moore, Swift. Referred to Committee on Rules.

HB 954, introduced by Thomas, Swift, Farrell, Severson. Referred to Committee on Rules.

HB 958, introduced by Marks, Vincent, J.K. Moore. Referred to Committee on Finance and Claims.

HJR 42, introduced by Kitselman, Marks. Referred to Committee on Labor and Employment Relations.

HJR 43, introduced by Lory, Quilici, Connelly, Regan, Keating, Donaldson, Bardanouve, Manuel, Gage. Referred to Committee on Finance and Claims.

HJR 44, introduced by Winslow. Referred to Committee on Judiciary.

HJR 45, introduced by Connelly, B. Brown, Fritz, Kadas, D. Brown, Nelson, J. Hammond, Harp, Bachini, Krueger, O'Hara, J. Brown, Pistoria. Referred to Committee on Judiciary.

HJR 47, introduced by Harbin, Sales, Jenkins, Nelson, J.K. Moore, Cody, C. Smith, Garcia, Wallin, Asay, Iverson, Kitselman, Gilbert, Winslow, Jones, Simon, Driscoll, Raney, Patterson, Darko, Peck, J. Hammond, Peterson, Eudaily, Pavlovich, J. Moore, O'Connell, Kennerly, Manuel, Holliday, Addy, O'Hara, Fritz, Zabrocki, Harper, Harp, Bardanouve. Referred to Committee on State Administration.

HJR 49, introduced by Quilici, Marks, Harrington, Van Valkenburg, Pavlovich, Fritz. Referred to Committee on Labor and Employment Relations.

HJR 50, introduced by Thoft, Bardanouve, Marks. Referred to Committee on Finance and Claims.

HJR 51, introduced by Connelly, Lybeck, Jones, Cohen, C. Smith, B. Brown, Harding, Nelson, Koehnke, O'Connell, Peck, Harp, Zabrocki, Brandewie, Harrington, J. Hammond, D. Brown, Himsl, Cody, Asay, Fritz, Simon, Schultz, Devlin, Gilbert, Ellison, Keller, Donaldson, Menahan, Nisbet, Abrams, Quilici, Daniels, Garcia, Pavlovich, Spaeth, Iverson, Vincent, Manuel, Marks, Montayne, Miller, Howe, Bergene, M. Williams, McCormick, Bachini, Pistoria, Hand, Lory, Eudaily, Thoft, Ellerd, Mercer, Phillips, Patterson, Compton, Jenkins, Switzer, Gould, Peterson, Krueger, Harper. Referred to Committee on Business and Industry.

HJR 52, introduced by Harrington, Donaldson, Eudaily, Quilici, Lynch, Jacobson, Menahan, Keenan, Peck, McCormick, Blaylock, Ream, J. Hammond, J. Brown, Bachini, O'Connell, Regan, Harp, Grady, M. Williams, Swift, Krueger, Brandewie, D. Brown, Schultz, Simon, Phillips, Ramirez, Mercer, Thomas, Ernst, (By Request of the House Education and Cultural Resources Committee). Referred to Committee on Education and Cultural Resources.

HJR 54, introduced by Winslow, Bradley. Referred to Committee on Labor and Employment Relations.

The following House bill was assigned to committee:

HB 945, introduced by Pavlovich, Stimatz, Quilici, D. Brown, Garcia, Lynch, Patterson, J.K. Moore, Christiaens, Raney, Bergene, Fritz, Menahan, Nisbet, Cody, Pistoria, O'Connell, Koehnke, Schye, Harrington, Driscoll, Keenan, Hart, Devlin, Krueger, Spaeth, Zabrocki, Peck, Howe, Halligan, Keyser, Nathe, Norman, Aklestad, Kennerly, Anderson, Bradley, Shaw, Jones, Montayne, Bachini, Holliday, Van Valkenburg, Gould, C. Smith, Farrell, J. Moore, Daniels, Haffey, Jacobson, Lory, Manning, Boylan, Goodover, Peterson, Conover, Thayer, Bengtson, Swift, Weeding, Phillips, Thomas, Crippen, B. Williams, Lane, Towe, Jenkins, Hirsch, Compton, Stephens, McCallum, Glaser, Tveit, Kolstad, Gage, Story, Campbell, Ellison, (By Request of the House State Administration Committee). Referred to Committee on State Administration.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 140, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating,

Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Goodover, Shaw.
Total 2

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

SB 289, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Shaw.
Total 1

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

SB 411, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Shaw.
Total 1

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Smith in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 14 - That HB 14 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

HB 108 - That HB 108 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

HB 206 - That HB 206 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

HB 320 - That HB 320 be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Aklestad.
Total 1

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

HB 667 - That HB 667 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

HB 684 - That HB 684 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

HB 873 - That HB 873 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum,

Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Smith moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

JUDICIARY (Mazurek, Chairman): 4/15/85

HB 295, third reading copy, be amended as follows:

1. Page 7, line 18.
Following: "procedure"
Insert: "must afford the consumer or his representative an opportunity to appear and present evidence in Montana at a location reasonably convenient to the consumer, and further"

2. Page 8, line 9.
Following: "than"
Strike: "2"
Insert: "4"

3. Page 8, line 10.
Following: "repair"
Insert: "if the vehicle is retained for more than 3 days"

4. Page 9, line 23.
Following: "to"
Insert: "["

5. Page 9, line 24.
Following: "5"
Insert: "]"
Following: " "
Insert: "All arbitration shall take place in Montana at a place reasonably convenient to the consumer."

6. Page 13, line 6.
Following: "of"
Insert: "["

7. Page 13, line 7.
Following: "3"
Insert: "]"

8. Page 15, line 23.
Following: "No."
Strike: "252"

Insert: "110"

9. Page 15, line 24, through page 16, line 3.
Following: "including" on line 24
Strike: "section 12"
Insert: "sections 10 and 12"
Following: "act" on line 24
Strike: remainder of line 24 through "252" on line 3, page 16, in their entirety
Insert: ", the bracketed language in sections 10 and 14 is replaced with a reference to Senate Bill No. 110"

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman April 15, 1985
President of the Senate
State Capitol
Helena, Montana 59620

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 135, 136, 229, 233, 266, 281, 300, 301, 316, 329, 332, 385, 399, 408, 440, and 461 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman April 15, 1985
President of the Senate
State Capitol
Helena, Montana 59620

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Vincent:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return Senate Bill No. 325, "AN ACT ESTABLISHING A PERMISSIVE STATEWIDE EMERGENCY TELEPHONE SYSTEM; PROVIDING FOR A STATE PLAN; PROVIDING FOR TELEPHONE INDUSTRY COORDINATION; PROVIDING FOR COIN TELEPHONE CONVERSION; PROVIDING FOR FUNDING OF THE SYSTEM BY LEVYING A TELEPHONE FEE; AMENDING SECTION 35-18-503, MCA; AND PROVIDING ~~AN~~ EFFECTIVE ~~DATE~~ DATES."

Senate Bill No. 325 provides for the establishment of a statewide emergency telephone system. The bill was amended in the House to extend the effective date of the act from July 1, 1985 to July 1, 1987 unless a provider voluntarily complies with the provisions of the act. As amended, the bill results in a confusing and inequitable implementation.

The amendments I am proposing eliminate the confusion and inequity surrounding the implementation of Senate Bill No. 325 and respond to the legitimate needs of some providers to have a reasonable period of time in

which to educate the consumers before the effective date of the bill. The amendments delay the effective date of the act until January 1, 1987, except for purposes of agency rulemaking. These amendments will allow for a uniform implementation of the 25 cent monthly fee in addition to providing an adequate educational period.

I urge your concurrence in these amendments.

Governor's Proposed Amendments
to SB 325

1. Page 13, line 15.
Following: "on"
Strike: "October 1, 1985"
Insert: "April 1, 1987"

2. Page 16, lines 16-23.
Following: "DATES."
Strike: "(1)" on line 16 through "JULY 1, 1987" on line 23.
Insert: "Sections 3 and 11 are effective July 1, 1986, for the purpose of adopting rules to implement this act. The remainder of this act is effective January 1, 1987."

Sincerely,

Ted Schwinden
Governor

MOTIONS

Senator Fuller moved that the President be authorized to dissolve the conference committee on Senate amendments to HB 900 and that he be authorized to appoint a free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Fuller, Chairman
Senator Hirsch
Senator Story

Senator Williams moved that the President be authorized to dissolve the conference committee on Senate amendments to HB 127 and that he be authorized to appoint a free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Williams, Chairman
Senator Halligan
Senator Gage

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on Senate amendments to HB 44. Motion carried unanimously.

The President appointed the following members:

Senator Pinsoneault, Chairman
Senator Daniels
Senator Brown

Senator Van Valkenburg moved that the President be empowered to appoint a free conference committee to meet with a committee from the

House of Representatives to confer on HB 146. Motion carried unanimously.

The President appointed the following members:

Senator Haffey, Chairman
Senator Boylan
Senator Farrell

In accordance with Senator Thayer's motion of April 5, 1985, that the President be empowered to appoint a free conference committee on SB 116, the President appointed the following members:

Senator Halligan, Chairman
Senator Van Valkenburg
Senator Thayer

SPECIAL ORDERS OF THE DAY

Senator Haffey moved the appointment of:

Stella J. Hansen, Missoula, Montana, appointed for a term ending July 1, 1987;
Samuel R. Kalafat, Black Eagle, Montana, appointed for a term ending July 1, 1986;

as members of the Board of Sanitarians be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: Anderson, Stimatz, Weeding.
Total 3

Senator Haffey moved the appointment of:

Minnie Ellen Fritzler, Crow Agency, Montana, appointed for a term ending January 1, 1987;
Gerald D. Schultz, Hamilton, Montana, appointed for a term ending January 2, 1989;

as members of the Board of Social and Rehabilitation Appeals be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens,

Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: Stimatz, Weeding.
Total 2

Senator Haffey moved the appointment of:

Peter C. Guthridge, Billings, Montana, appointed for a term ending January 7, 1989;
Patrick J. Kelly, Miles City, Montana, appointed for a term ending January 1, 1987;
James J. Pomroy, Helena, Montana, appointed for a term ending January 1, 1987;
Suzanne G. Tiddy, Helena, Montana, appointed for a term ending January 7, 1989;
Linda J. Williams, Huntley, Montana, appointed for a term ending January 7, 1989;

as members of the Board of Social Work Examiners be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: Stimatz, Weeding.
Total 2

Senator Haffey moved the appointment of:

Gene W. Bukowski, Billings, Montana, appointed for a term ending December 31, 1986;
Patti DuBray, Billings, Montana, appointed for a term ending December 31, 1986;
Bette J. Hiner, Helena, Montana, appointed for a term ending December 31, 1987;
Carol B. Schellack, Dillon, Montana, appointed for a term ending December 31, 1987;

as members of the Board of Speech Pathologists and Audiologists be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: Stimatz, Weeding.
Total 2

Senator Haffey moved the appointment of:

Mary Hempleman, Great Falls, Montana, appointed for a term ending March 1, 1991;

as a member of the State Tax Appeal Board be concurred in and the Senate Resolution of such confirmation be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: Stimatz, Weeding.
Total 2

Senator Haffey moved the appointment of:

Bernadette A. Opp, Missoula, Montana, appointed for a term ending May 18, 1988;
Neil Shepherd, Chester, Montana, appointed for a term ending May 18, 1989;

as members of the Board of Veterans' Affairs be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: McCallum, Stimatz, Weeding.
Total 3

Senator Haffey moved the appointment of:

Dr. John C. Burkhartsmeyer, Helena, Montana, appointed for a term ending July 31, 1988;
Dr. William J. Quinn, Bozeman, Montana, appointed for a term ending July 31, 1989;

as members of the Board of Veterinarians be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: Galt, McCallum, Stimatz.
Total 3

Senator Haffey moved the appointment of:

T.F. Benes, Billings, Montana, appointed for a term ending July 1, 1986;

as a member of the Board of Water Well Contractors be concurred in and the Senate Resolution of such confirmation be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: Galt, Hirsch, McCallum, Stimatz.
Total 4

SPECIAL ORDERS OF THE DAY

Upon motion of Senator Van Valkenburg, duly carried, the Resolutions honoring deceased Senators and the program from the Memorial Service held on Sunday, April 14, 1985, will be printed and placed in the Journal for the eighty-first legislative day.

MEMORIAL SERVICE
Honorary Tribute

Mr. President — Mr. Speaker — Members of the 49th Legislature — Honored Guests — Ladies and Gentlemen:

Today we come together to observe a solemn tradition of the Montana Legislature.

The Legislature of Montana is many things. It is the setting for debate, discussion, controversy and also compromise. From within its twin chambers emerges a reflection of the hopes, dreams and aspirations of the citizens of our state, but foremost the Legislature is an assembly of men and women who have volunteered to serve. These emissaries of the public trace their roots to all parts of this great state and as elected stewards of the public interest, they are summoned to Helena every two years.

Who are these people who offer themselves in public service? They are men and women from all 56 counties and from every vocational endeavor. After taking on the mantle of a legislator, they must, for a significant number of days, lay aside their everyday responsiblities, be they in agriculture, business, the professions or a dozen different callings.

They may serve but a single term or a score of years but out of their tenure in the Legislature develops a camaraderie that is unique among those with whom this duty has been shared.

They who have served, and we who carry on, would make no special claim as to our wisdom, judgment, foresight or compassion, but as legislators, all of us have walked together along a common path. Each of us has known the challenges and joys as well as the elations and frustrations, and each of us has known those nostalgic moments when time permits us to reflect on how fortunate we are to have been chosen for this enriching experience.

Serving in the Legislature certainly presents an opportunity to become associated with a quality group of people that becomes far more than a mere acquaintanceship. It is a composite of respect, affection and fellowship that can only come from having been there, and having met the test together.

It is, therefore, fitting and proper that each general session of the Legislature provides the opportunity to offer a final salute and memorial tribute to those valued friends and colleagues who have passed from this life since we last convened, and that the families and friends of those whom we honor be invited to attend these special proceedings.

Those we honor today represent not only dedicated public servants, but personal friends with whom we shared so much. At this time we extend to their families and loved ones who are with us today our condolences and deep respect.

Thank you for coming and thank you also for allowing us to convey our most sincere sentiments about that special person in your life whose passing has brought us together today. Thanks again.

Senator Allen C. Kolstad

IN MEMORIAM - JOHN E. MANLEY

WHEREAS, it is with deep and sincere sorrow that the members of the Senate of the Forty-ninth Legislature of the state of Montana record the passing of former Senator John Manley on March 28, 1985, in Missoula, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Senator Manley be filed on the official records of this assembly, the following facts relative to his career are hereby noted:

Senator John E. Manley was born on the family ranch north of Drummond, Montana on August 2, 1928, to James and Alma Manley. He received his education at Douglas Creek School, St. Mary's Academy in Deer Lodge and graduated from Powell County High School. He attended Butte Business College where he took agriculture and ranch business courses. He then returned to the ranch and later served in the Marine Corps in 1945-46 and during the Korean War in 1950-52. He continued to operate the family's ranch for 33 years.

Senator Manley and Janet Eccleston were married on June 12, 1955, in Anaconda.

The late Senator was elected to the Montana Senate in 1974 and re-elected in 1978.

He was an ardent defender of the prison at Deer Lodge and hospitals at Galen and Warm Springs. He pushed for training programs to help rehabilitate prison inmates.

Senator Manley served on the Powell County High School Board for 12 years and was a member of the Elks Lodge No. 1737, Deer Lodge No. 14 of the AF & AM, the American Legion Gold Star Post 125 of Drummond, and the Drummond Kiwanis.

He is survived by his widow, Janet; two sons, Tracy and Nick, both of Drummond; daughters, Peggy of Deer Lodge and Kerry of St. Ignatius; a brother, James of Hamilton; a sister, Mary Ellen Ronan of Helena; and one grandchild.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable John E. Manley and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the journal of the Senate of the Forty-ninth Legislature and that original copies of this memorial, signed by the President of the Senate; the members of the appointed Memorial Committee, the Secretary of the Senate of the Forty-ninth Legislature, be transmitted by the Secretary of the Senate to the surviving members of Senator Manley's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

IN MEMORIAM - FRANK D. REARDON

WHEREAS, it is with deep and sincere sorrow that the members of the Senate of the Forty-ninth Legislature of the state of Montana record the passing of former Senator Frank D. Reardon on July 8, 1984, in Butte, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Senator Reardon be filed on the official records of this assembly, the following facts relative to his career are hereby noted:

Senator Reardon was born on Valentine's Day in 1896 in Salt Lake City to John D. and Sophia Reardon. He moved to Butte in 1900 and attended St. Patrick and Butte High Schools.

He began an apprenticeship as a plumber in 1911. Senator Reardon began working as a plumber in 1922 and by the time his career ended he had founded two of Butte's plumbing firms. He started Reardon Plumbing and Heating in 1937 and turned it over to his son in 1954. In 1970, he started Butte Plumbing and Heating with another son, became president in 1973 and had just recently retired prior to his death.

Senator Reardon was elected to the House of Representatives in 1955 and served in the Senate for 14 years from 1957-1973.

In 1967, he was presented with a belated Silver Star for gallantry for helping carry wounded men to a dressing table while serving in France during World War I. Senator Reardon was a construction specialist of the 4th engineers. He also served in Germany and was discharged in 1919.

He served on the Selective Service Board for 15 years and belonged to the Elks Lodge 240, American Legion, Veterans of Foreign Wars, Butte Plumbers No. 14 and State Master Plumbers.

Senator Reardon is survived by his sons-in-law and daughter, Mr. and Mrs. Conrad S. (Esther) Fawcett and Floyd Stewart, all of Butte; sisters Dorothy Reardon and Helen Ereckson both of Saratoga, California; brother, Jim Reardon of Saratoga; grandchildren, John Fawcett, Bob Fawcett, Dave Fawcett, Jack Stewart, Ettasue Ferris and Frances Holmes, all of Butte; and five great-grandchildren.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable Frank D. Reardon and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the journal of the Senate of the Forty-ninth Legislature and that original copies of this memorial, signed by the President of the Senate; the members of the appointed Memorial Committee, the Secretary of the Senate of the Forty-ninth Legislature, be transmitted by the Secretary of the Senate to the surviving members of Senator Reardon's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

IN MEMORIAM - J. DEWEY STREET

WHEREAS, it is with deep and sincere sorrow that the members of the Senate of the Forty-ninth Legislature of the state of Montana record the passing of former Senator J. Dewey Street on December 8, 1983, in Bozeman, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Senator Street be filed on the official records of this assembly, the following facts relative to his career are hereby noted:

Senator J. Dewey Street was born on March 27, 1898, in Springhill to Theodore and Lillian G. (Baker) Street. He attended the Decker Elementary School on Springhill Road. After his graduation from Montana State College, he went to work at Security Bank where he remained for 51 years and served as bank president from 1951 to 1967. At the time of his death he was director emeritus of the bank. During 1968 and 1969 he was also president of the Montana Bankers Association.

Senator Street and Arline Elliott were married on July 10, 1927, in Bozeman.

The late senator served as a member of the 1967 Session of the Montana State Senate. Senator Street was a sustaining member of the Republican National Committee and member and Past Master of Bozeman Lodge No. 18 AF & AM. He was a Past Patron of Lilly of the Valley Chapter No. 4 O.E.S. and Past Priest of Zona Chapter No. 12 Royal Arch Masons receiving his membership in 1964, Past Emminent Commander of the St. Johns Commandery No. 12 receiving his life membership in 1971, and member of the Baghdad Shrine Temple of Butte.

He was a member of the Sigma Chi Fraternity and a Life Loyal Sig of the fraternity. He served as a longtime member of the Deaconess Hospital Board, and past chairman of the Masonic Temple Board. He served as sustaining member of the Boy Scouts of America, and a member of the Sons and Daughters of the Pioneers.

He further served on the Board of Directors of the Shodair Crippled Children's Hospital in Helena and was an honorary lifetime member of the DeMolay Legion of Honor.

He is survived by his widow, Arline Street of Bozeman, his son and daughter-in-law, Dr. David and Karen Street of Wichita, Kansas; one daughter-in-law, Mrs. Joseph C. (Julie) Street of Logan, Utah; two sisters-in-law, Mrs. Hattie Street and Mrs. Carrie Street, both of Bozeman, six grandchildren and one great-grandchild.

He was preceded in death by one son, Dr. Joseph C. Street, in May of 1983.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable J. Dewey Street and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the journal of the Senate of the Forty-ninth Legislature and that original copies of this memorial, signed by the President of the Senate; the members of the appointed Memorial Committee, the Secretary of the Senate of the Forty-ninth Legislature, be transmitted by the Secretary of the Senate to the surviving members of Senator Street's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

Bill Norman, President
of the Senate

Bonnie Wallem, Secretary
of the Senate

J.D. Lynch, Chairman of
the Memorial Committee

Allen Kolstad, Member of
the Memorial Committee

Chet Blaylock, Member of

the Memorial Committee

Senator Van Valkenburg moved that the Senate adjourn until 1:30 p.m., April 16, 1985.

Motion carried.

Senate adjourned at 3:02 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

EIGHTY-SECOND LEGISLATIVE DAY

Helena, Montana
April 16, 1985

Senate Chambers
State Capitol

Senate convened at 1:34 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Farrell, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the eighty-first legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 4/15/85

Signed by the President at 3:30 p.m., 4/15/85: HB 160, HB 293, HB 310, HB 317, HB 341, HB 346, HB 358, HB 389, HB 412, HB 423, HB 424, HB 439, HB 440, HB 441, HB 443, HB 454, HB 462, HB 483, HB 489, HB 506, HB 517, HB 522, HB 523, HB 541, HB 550, HB 567, HB 571, HB 577, HB 601, HB 602, HB 611, HB 621, HB 639, HB 649, HB 673, HB 680, HB 711, HB 739, HB 743, HB 750, HB 763, HB 774, HB 778, HB 788, HB 791, HB 801, HB 813, HB 817, HB 837, HB 853, HB 859, HB 864, HB 871, HB 889, HB 891, HB 894, HB 896, HB 911, HB 912, HJR 21, HJR 28, HJR 33, HJR 37.

Report adopted.

EDUCATION AND CULTURAL RESOURCES (Blaylock, Chairman): 4/15/85

HB 211, be concurred in. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman): 4/15/85

HB 843, third reading copy, be amended as follows:

1. Title, line 15.
Strike: "DATES"
Insert: "DATE"

2. Page 2, line 12.
Following: "have"
Strike: "either"

3. Page 2, line 13.
Following: "own"
Strike: "or who are able-bodied"

4. Page 2, line 25 through page 3, line 1.
Strike: subsection (1) in its entirety
Renumber: subsequent subsections

5. Page 3, line 23 through page 4, line 1.
Following: "chapter." on line 23
Strike: remainder of line 23 through line 1 in their entirety

6. Page 4, lines 14 through 16.
Strike: subsection (10) in its entirety
Renumber: subsequent subsections

7. Page 5, line 1.
Following: "necessary"
Insert: ", including pregnancy"

8. Page 5, lines 4 and 5.
Following: "review." on line 4
Strike: remainder of line 4 through "condition" on line 5
Insert: "Necessary treatment"
Following: "includes" on line 5
Strike: "pregnancy and"

9. Page 5, line 24.
Following: "53-2-321"
Strike: "and"
Insert: ","
Following: "53-2-322"
Insert: ", and 53-2-323"

10. Page 6, line 8.
Following: "relief."
Insert: "(1) A person or persons, constituting a household, may receive general relief assistance for basic necessities if the household is determined to be eligible under the provisions of this section and is in need of such assistance as a result of their infirmity, misfortune, or indigency."
Renumber: subsequent subsections

11. Page 6, line 24 through page 7, line 1.
Strike: subsection (2) in its entirety
Renumber: subsequent subsections

12. Page 7, lines 2 through 14.
Following: "(3)" on line 2
Strike: remainder of line 2 through "medical assistance." on line 14
Insert: "When the household's income exceeds the monthly income standard for a household of that size because of receipt of lump-sum income, the household will be ineligible for general relief for the full number of months, beginning with the month of receipt, derived by dividing the total of the lump-sum income and other income by the monthly income standard for a household of that size. Any income remaining from this calculation will be considered as income in the first month following the period of ineligibility.

(a) The period of ineligibility may be recalculated if the household size changes or if a portion of the lump sum was used to pay medical bills for a serious medical condition.

(b) Ineligibility due to the receipt of a lump sum does not preclude eligibility for general relief medical assistance."

13. Page 9, line 3.
Following: "assistance."
Insert: "(1) In order to be considered for eligibility for general relief medical assistance, a person must be found to have a serious medical condition."
Renumber: subsequent subsections

14. Page 9, line 5.
Following: "and [section 4"
Strike: "(5) through (11)"

15. Page 9, line 11.

Following: "All"
Strike: "legally responsible"

16. Page 9, line 12.
Following: "residence"
Insert: "and are legally related to or responsible for each other"

17. Page 9, line 22.
Following: "section 4"
Strike: "(1)"
Insert: "(2)"

18. Page 10, line 5.
Following: "section 4"
Strike: "(1)"
Insert: "(2)"

19. Page 11, line 7.
Following: "section 4"
Strike: "(1)"
Insert: "(2)"
Following: "and the"
Insert: "monthly"
Following: "income"
Strike: "standard"
Insert: "level"

20. Page 11, line 8.
Following: "subsection"
Strike: "(5)"

21. Page 11, line 9.
Following: "between"
Insert: "its"

22. Page 11, lines 10 and 11.
Following: "and the" on line 10
Insert: "monthly"
Following: "income" on line 10
Strike: remainder of line 10 through "needy" on line 11
Insert: "level in subsection (b)"

23. Page 11, line 14.
Following: "COUNTY"
Strike: "BOARDS"
Insert: "board"

24. Page 11, line 16 through page 12, line 9.
Strike: section 7 in its entirety
Renumber: subsequent sections

25. Page 13, lines 14 through 21.
Strike: subsection (2) in its entirety
Renumber: subsequent subsections

26. Page 16, line 14.
Following: "section 4"
Strike: "(1)"
Insert: "(2)"

27. Page 18.
Following: line 24
Strike: "effectuate"

Insert: "implement"

28. Page 28, line 16.
Following: "section"
Strike: "12(2)"
Insert: "5"

29. Page 28, line 22.
Following: "through"
Strike: "17"
Insert: "18"

30. Page 28, line 24.
Following: "through"
Strike: "17"
Insert: "18"

31. Page 29, line 10.
Following: "~~date~~"
Strike: "DATES"
Insert: "date"
Following: "."
Strike: "(1)"

32. Page 29, lines 12 and 13.
Strike: subsection (2) in its entirety

And, as amended, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

Conference Committee
on Senate Bill No. 26
Report No. 1, April 15, 1985

Mr. President:

We, your Conference Committee on Senate Bill No. 26 met and considered:

House amendments to Senate Bill No. 26.

We recommend as follows:

That Senate Bill No. 26, reference copy, be amended as follows:

1. Page 2.
Following: line 19
Strike: "SUBSECTION"
Insert: "section"
Following: "FIRST"
Strike: "OBTAINING THE APPROVAL OF"
Insert: "consulting with"

2. Page 3, line 22.
Following: "SALE"
Insert: "involving land in excess of the acreage limitations in 77-2-307"

3. Page 3, lines 23 and 24.
Following: "THIS" on line 23
Strike: "SUBSECTION"
Insert: "section"
Following: "FIRST"

Strike: "OBTAINING THE APPROVAL OF"
Insert: "consulting with"

And that this Conference Committee report be adopted.

For the Senate:	For the House:
Towe, Chairman	D. Brown
Yellowtail	Hanson
Gage	Kennerly
	Mercer

Conference Committee
on Senate Bill No. 109
Report No. 1, April 15, 1985

Mr. President:

We, your Conference Committee on Senate Bill No. 109 met and considered:

House amendments to Senate Bill No. 109, April 13, 1985.

We recommend as follows:

That Senate Bill No. 109, reference copy, be amended as follows:

1. Page 10, line 19.
Following: "ACT"
Insert: ", or to existing loaned property with a market value of $1,000 or less at the time of disposal"

And that this Conference Committee report be adopted.

For the Senate:	For the House:
Fuller, Chairman	Fritz
Mazurek	Hannah
Brown	Nelson
	Schye

Free Conference Committee
on Senate Bill No. 349
Report No. 1, April 15, 1985

Mr. President:

We, your Free Conference Committee on Senate Bill No. 349 met and considered:

Senate Bill No. 349.

We recommend as follows:

That Senate Bill No. 349, reference copy, be amended as follows:

1. Page 5.
Following: line 10
Strike: "EXCEPT AS PROVIDED IN SUBSECTION (4), THE"
Insert: "The"

2. Page 5, line 22.
Following: "ratio."
Insert: "Unless bonds issued to finance a project are secured by a common capital reserve account and a common guaranty fund, the maximum amount of the guaranty authorized by this section may

not exceed $3,000,000 with respect to the bonds or loans to finance the project."

3. Page 6, lines 14 through 18.
Strike: subsection (4) in its entirety

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Mazurek, Chairman	Harbin, Chairman
Fuller	Kadas
Thayer	Kitselman
	Simon

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 15, 1985

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 126, 160, 167, 255, 265, 380, 415, 423, and 433 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 16, 1985

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 152, 258, 273, 326, 354, 369, 402, and 406 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bill concurred in as amended and returned to the Senate for concurrence in House amendments: 4/15/85

SB 182, introduced by Farrell, et al.

Senate bill not concurred in and returned to the Senate: 4/15/85

SJR 36, introduced by E. Smith, et al.

Free conference committee report adopted: 4/15/85

SB 416, free conference committee report

House bill passed and transmitted to the Senate for concurrence: 4/15/85

HB 922, introduced by Harper, Thoft

Senate amendments to House bills concurred in: 4/15/85

HB 203, introduced by Bardanouve

HB 652, introduced by Switzer, Darko

HB 779, introduced by Connelly, et al.

The House, on 4/15/85, dissolved the conference committee on Senate amendments to HB 127 and appointed a free conference committee.

The Speaker appointed the following members:

Representative Driscoll
Representative Glaser
Representative Kadas
Representative Keyser

The House, on 4/15/85, dissolved the conference committee on Senate amendments to HB 585 and appointed a free conference committee.

The Speaker appointed the following members:

Representative Addy
Representative Gould
Representative Hannah
Representative Rapp-Svrcek

The House, on 4/15/85, dissolved the conference committee on Senate amendments to HB 900 and appointed a free conference committee.

The Speaker appointed the following members:

Representative Fritz
Representative Hart
Representative Sales
Representative Sands

The House, on 4/15/85, dissolved the conference committee on Senate amendments to HB 923 and appointed a free conference committee.

The Speaker appointed the following members:

Representative J. Brown
Representative Keyser
Representative Marks
Representative Vincent

MOTIONS

Senator Conover moved that the President be authorized to dissolve the conference committee on House amendments to SB 236 and that he be authorized to appoint a free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Conover, Chairman
Senator Lane
Senator Smith

Senator Manning moved that the President be authorized to dissolve the conference committee on House amendments to SB 221 and that he be authorized to appoint a free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Manning, Chairman
Senator Lynch
Senator Gage

Senator Van Valkenburg moved that the Senate recess, subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 1:48 p.m.

Senate reconvened at 3:06 p.m.

REPORTS OF STANDING COMMITTEES

AGRICULTURE, LIVESTOCK AND IRRIGATION (Boylan, Chairman):
4/15/85

SB 467, introduced bill, be amended as follows:

1. Title, line 7.
Following: "RESERVATION"
Insert: "; PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 24, line 7.
Following: "existing"
Insert: "and proposed"

3. Page 24, line 14.
Following: "watershed;"
Strike: "and"

4. Page 24, line 16.
Following: "watershed"
Strike: "."
Insert: "; and"

5. Page 24.
Following: line 16
Insert: "(d) a maximum of 300 acres of land irrigated with ground water near the confluence of Porcupine Creek and the Milk River."

6. Page 28, line 23.
Following: "after"
Strike: "adoption of"

7. Page 28, line 24.
Following: "code"
Insert: "takes effect or within six months after disapproval by the Secretary"
Following: "Tribes"
Insert: "or the Secretary of the Interior"

8. Page 40, line 18.
Following: "and"
Strike: "by"

9. Page 40, line 19.
Following: "Board"
Insert: "and approved by the United States Departments of Justice and the Interior"

10. Page 41, line 9.
Following: "this"
Strike: "paragraph"

Insert: "section"

11. Page 41, line 10.
Following: "filed"
Insert: "as a proposed consent decree"

12. Page 43, line 10.
Following: "the"
Strike: "state"
Insert: "State"

13. Page 49.
Following: line 5
Insert: "Section 2. Effective date. This act is effective on passage and approval."

And, as amended, do pass. Report adopted.

SJR 41, do pass. Report adopted.

RULES (Van Valkenburg, Chairman): 4/16/85
That Joint Rule 7-8 be amended as follows:

Following: the end of the first paragraph
Insert: "A Conference Committee shall confine itself to accepting or rejecting each disputed amendment in its entirety."

Further, that such amendment be made pursuant to Joint Rule 8-5(1) and Senate Rule S8-1. This report constitutes the one-day notice required under Senate Rule S8-1.

And, as amended, do pass. Report adopted.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The House, on 4/16/85, requested the return of SJR 36 for further consideration.

The House, on 4/16/85, acceded to the request of the Senate and appointed a free conference committee to meet with a committee from the Senate to confer on SB 116.

The Speaker appointed the following members:

Representative Darko
Representative Hannah
Representative O'Hara
Representative Peck

The House, on 4/16/85, dissolved the conference committee on House amendments to SB 236 and appointed a free conference committee.

The Speaker appointed the following members:

Representative Bardanouve
Representative Howe
Representative Ramirez
Representative Rehberg

The House, on 4/16/85, dissolved the conference committee on Senate amendments to HB 236 and appointed a free conference committee.

The Speaker appointed the following members:

Representative Jones

Representative Mercer
Representative Pavlovich
Representative Spaeth

The House, on 4/16/85, dissolved the conference committee on Senate amendments to HB 471 and appointed a free conference committee.

The Speaker appointed the following members:

Representative Eudaily
Representative Hammond
Representative Keenan
Representative Thomas

MOTIONS

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on House amendments to SB 33. Motion carried unanimously.

The President appointed the following members:

Senator Halligan, Chairman
Senator Towe
Senator McCallum

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on House amendments to SB 431. Motion carried unanimously.

The President appointed the following members:

Senator Hirsch, Chairman
Senator Mazurek
Senator McCallum

Senator Van Valkenburg moved that the President be empowered to appoint a free conference committee to meet with a committee from the House of Representatives to confer on HB 793. Motion carried unanimously.

The President appointed the following members:

Senator Daniels, Chairman
Senator Regan
Senator Brown

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

TAXATION (Towe, Chairman): 4/16/85
HB 374, third reading copy, be amended as follows:

1. Page 2, line 23.
Following: "~~one-third~~ 5"
Strike: "7.33"
Insert: "7 ⅓"

2. Page 3.
Following: line 1
Strike: "1.33"

Insert: "1 ⅓"

3. Page 3, line 3.
Following: "~~one-third~~ 5"
Strike: "1.33"
Insert: "1 ⅓"

And, as amended, be concurred in. Report adopted.

HB 636, third reading copy, be amended as follows:

1. Page 3, line 17.
Following: "gas"
Insert: ", including carbon dioxide gas,"

2. Page 3, lines 18 and 19.
Following: "ground." on line 18
Strike: remainder of line 18 through "PROJECT" on line 19

3. Page 4, line 2.
Following: "the"
Strike: "board of oil and gas conservation"
Insert: "department of revenue"

4. Page 4.
Following: line 3
Strike: "as provided in 82-11-141"
Insert: "in accordance with Title 2, chapter 4"

5. Page 4, line 7.
Following: "the"
Strike: "board of oil and gas conservation"
Insert: "department"

6. Page 4, lines 10 and 11.
Following: "the" on line 10
Strike: "board of oil and gas conservation"
Insert: "department"

7. Page 4, line 25 through page 5, line 1.
Following: "the" on line 25
Strike: "board of oil and gas conservation"
Insert: "department"

8. Page 5, lines 4 and 5.
Following: "by the" on line 4
Strike: "board of oil and gas conservation"
Insert: "department of revenue"

9. Page 5, line 7.
Following: "the"
Strike: "BOARD"
Insert: "department"

10. Page 9, lines 3 and 4.
Following: "authority of" on line 3
Strike: "the board of oil and gas conservation or"

And, as amended, be concurred in. Report adopted.

FIRST READING OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SJR 42, introduced by Fuller, Pinsoneault, Hirsch, Harding, Kolstad, Crippen, McCallum, Regan, Eck, Mohar, Lynch, Darko, Poff, Keenan, D. Brown, Jacobson, Story, Wallin, Daniels, Gilbert, Brandewie, Kadas, Fritz, Cohen, J. Brown, Sands, Nisbet, Harbin, Raney, Iverson, Schye, Thayer, Haffey, Hager, B. Brown. Referred to Committee on Local Government.

The following House bill was introduced, read first time, and referred to committee:

HB 922, introduced by Harper, Thoft, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Finance and Claims.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Lybeck in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 66 - That the conference committee report on House amendments to SB 66 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

SB 416 - That the free conference committee report on SB 416 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.

Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Lybeck moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on Senate amendments to HB 681. Motion carried unanimously.

The President appointed the following members:

Senator Daniels, Chairman
Senator Pinsoneault
Senator Stephens

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on Senate amendments to HB 727. Motion carried unanimously.

The President appointed the following members:

Senator Fuller, Chairman
Senator Eck
Senator McCallum

Senator Towe moved that HB 374 be taken from second reading and that it be rereferred to the Committee on Taxation. Motion carried unanimously.

Senator Van Valkenburg moved that HB 950 be taken from the Committee on Rules and that it be rereferred to the Committee on Local Government. Motion carried unanimously.

Senator Van Valkenburg moved that HB 954 be taken from the Committee on Rules and that it be rereferred to the Committee on Local Government. Motion carried unanimously.

Senator Van Valkenburg moved that HB 473 be taken from the Committee on Rules and that it be rereferred to the Committee on State Administration. Motion carried unanimously.

Senator Van Valkenburg moved that the Senate adjourn until 1:30 p.m., April 17, 1985.

Motion carried.

Senate adjourned at 3:35 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

EIGHTY-THIRD LEGISLATIVE DAY

Helena, Montana
April 17, 1985

Senate Chambers
State Capitol

Senate convened at 1:35 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Farrell, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the eighty-second legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 4/16/85
Examined by the sponsor (Lynch) and found to be correct: SB 19.
Examined by the sponsor (Gage) and found to be correct: SB 67.
Examined by the sponsor (Shaw) and found to be correct: SB 106.
Examined by the sponsor (Christiaens) and found to be correct: SB 140.
Examined by the sponsor (Smith) and found to be correct: SB 289.
Examined by the sponsor (Towe) and found to be correct: SB 411.
Examined by the sponsor (Bengtson) and found to be correct: SB 436.
Signed by the President at 3:15 p.m., 4/16/85: HB 265.
Signed by the President at 4:30 p.m., 4/16/85: HB 460, HB 529, HB 551, HB 558, HB 563, HB 574, HB 579, HB 596, HB 631, HB 643, HB 646, HB 700, HB 706, HB 716, HB 724, HB 768, HB 798, HB 820.
Correctly printed and placed on the members' desks: SB 467, SJR 41.
4/17/85
Correctly enrolled: SB 19, SB 67, SB 106, SB 140, SB 289, SB 411, SB 436.

Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Lynch, Chairman): 4/16/85
HJR 49, be concurred in. Report adopted.
HJR 54, third reading copy, be amended as follows:

1. Page 2, line 13.
Following: "unemployed"
Strike: "but"
Insert: ", and"
Following: "is"
Strike: "little coordination of efforts"
Insert: "an increased need for coordination of efforts because of steadily decreasing resources"

And, as amended, be concurred in. Report adopted.

Adverse Committee Reports

LABOR AND EMPLOYMENT RELATIONS (Lynch, Chairman): 4/16/85
HJR 42, be not concurred in. Adverse committee report adopted as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek,

McCallum, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 38

Noes: Aklestad, Boylan, Crippen, Galt, Hager, Hammond, Kolstad, Mohar, Thayer, Tveit.
Total 10

Excused: Farrell.
Total 1

Absent or not voting: Neuman.
Total 1

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill No. 127
Report No. 1, April 16, 1985

Mr. President:

We, your Free Conference Committee on House Bill No. 127 met and considered:

House Bill No. 127.

We recommend as follows:

That House Bill No. 127, reference copy, be amended as follows:

1. Page 17.
Following: line 16
Insert: "NEW SECTION. Section 9. Installation of new security alarm systems. An electrician who has received a license from the department pursuant to 37-68-301 may install new security alarm systems under the direction of a journeyman security alarm installer, but such work performed by an electrician is subject to inspection and approval by a security alarm installer licensed under 37-60-303."
Renumber: subsequent section

2. Page 8, line 22.
Strike: "— exemption"

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Williams, Chairman	Driscoll
Halligan	Glaser
Gage	Kadas
	Keyser

Free Conference Committee
on House Bill No. 737
Report No. 1, April 16, 1985

Mr. President:

We, your Free Conference Committee on House Bill No. 737 met and considered:

House Bill No. 737.

We recommend as follows:

That House Bill No. 737, reference copy, be amended as follows:

1. Page 2, line 3.
Following: "DESIGNEE"
Insert: ", who is an attorney"

And that this Free Conference Committee report be adopted.

For the Senate:

Lynch, Chairman
Neuman
Stephens

For the House:

Bergene
Bradley
Darko
Gilbert

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 16, 1985

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Vincent:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill No. 114, "AN ACT TO GENERALLY REVISE AND CLARIFY THE LAWS RELATING TO SWIMMING POOLS AND BATHING PLACES; CLARIFYING THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES MAY SET SAFETY STANDARDS FOR PUBLIC SWIMMING POOLS AND BATHING PLACES; AMENDING SECTIONS 50-53-101 THROUGH 50-53-103 AND 50-53-108, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE," without my signature and recommend the attached amendment for the following reason.

As passed, House Bill No. 114, which generally clarifies the laws relating to swimming pools, provides that any rule relating to the design and construction of buildings or installation of equipment therein is effective only when the rule has been adopted by the Department of Administration as part of the state building code. This reference to the building code as being adopted by the Department of Administration conflicts with Senate Bill No. 242, passed this session and signed by me into law on April 4, 1985. Senate Bill No. 242 transfers all functions relating to the state building codes from the Department of Administration to the Department of Commerce.

The amendment I am proposing simply conforms the language of House Bill No. 114 to Senate Bill No. 242 by changing the reference from the Department of Administration to the Department of Commerce.

I urge your concurrence in this amendment.

Governor's Proposed Amendments
to HB 114

1. Page 3, line 4.
Following: "OF" on line 3
Strike: "ADMINISTRATION"

Insert: "COMMERCE"

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Conference committee reports adopted: 4/16/85

SB 26, conference committee report

SB 66, conference committee report

SB 109, conference committee report

Free Conference committee report adopted: 4/16/85

SB 349, free conference committee report

House bills passed and transmitted to the Senate for concurrence: 4/16/85

HB 952, introduced by Iverson, Blaylock

HJR 48, introduced by Spaeth, et al.

HJR 55, introduced by Spaeth, et al.

HJR 56, introduced by Rehberg, et al.

Senate amendments to House bills concurred in: 4/16/85

HB 676, introduced by Donaldson, et al.

HB 766, introduced by Ream, et al.

HB 815, introduced by Hayne, et al.

The House, on 4/16/85, dissolved the conference committee on Senate amendments to HB 707 and appointed a free conference committee.

The Speaker appointed the following members:

Representative Brandewie
Representative Driscoll
Representative Jenkins
Representative Manuel

MOTIONS

Senator Lynch moved that the President be authorized to dissolve the conference committee on Senate amendments to HB 707 and that he be authorized to appoint a free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Lynch, Chairman
Senator Manning
Senator Gage

Senator Neuman moved that the President be authorized to dissolve the conference committee on Senate amendments to HB 554 and that he be authorized to appoint a free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Neuman, Chairman
Senator Towe
Senator Thayer

Senator Blaylock moved that the Senate accede to the request of the House of Representatives and strike the Senate amendments to HB 608. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Regan.
Total 1

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

Senator Blaylock moved that the President be authorized to dissolve the conference committee on Senate amendments to HB 471 and that he be authorized to appoint a free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Blaylock, Chairman
Senator McCallum
Senator Haffey

Senator Van Valkenburg moved that the Senate accede to the request of the House of Representatives and appoint a free conference committee to confer on HB 236. Motion carried unanimously.

The President appointed the following members:

Senator Christiaens, Chairman
Senator Halligan
Senator Thayer

Senator Van Valkenburg moved that the Senate accede to the request of the House of Representatives and appoint a free conference committee to confer on HB 717. Motion carried unanimously.

The President appointed the following members:

Senator Yellowtail, Chairman
Senator Pinsoneault
Senator McCallum

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on House amendments to SB 119. Motion carried unanimously.

The President appointed the following members:

Senator Towe, Chairman

Senator Eck
Senator Brown

Senator Van Valkenburg moved that the President be authorized to dissolve the conference committee on Senate amendments to HB 286 and that he be authorized to appoint a free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Lybeck, Chairman
Senator Boylan
Senator Tveit

Senator Van Valkenburg moved that the Senate accede to the request of the House of Representatives and return SJR 36 for further consideration. Motion carried unanimously.

Senator Van Valkenburg moved that the rules be temporarily suspended for the purpose of accepting HB 952 and HJR 56 beyond the required transmittal deadline. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Goodover, Neuman, Shaw.
Total 3

Excused: Farrell.
Total 1

Absent or not voting: Severson, Towe.
Total 2

FIRST READING OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HJR 48, introduced by Spaeth, B. Brown, Halligan, Hannah, Mercer, Addy, Pinsoneault, Ramirez. Referred to Committee on State Administration.

HJR 55, introduced by Spaeth, Ramirez, Harbin, Bergene, Thomas, Harp, Kitselman, Addy, Hannah, Darko, D. Brown, Fritz, Cobb, Patterson, Schultz, Waldron, Kadas, Krueger, Winslow, Pavlovich, Abrams, J. Moore, Howe, Holliday, Mercer, Phillips, Bradley, Connelly, Sands, O'Hara. Referred to Committee on Judiciary.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 66, conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum,

Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

SB 416, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

HB 14 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Goodover.
Total 1

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

HB 108 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

HB 206 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Aklestad, Galt, Goodover, Hammond, Shaw.
Total 5

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

Senator Himsl excused at this time.

HB 320 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Christiaens, Conover, Crippen, Eck, Fuller, Gage, Haffey, Hager, Halligan, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, Pinsoneault, Regan, Stephens, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 29

Noes: Aklestad, Boylan, Brown, Daniels, Galt, Goodover, Hammond, Harding, Hirsch, Kolstad, McCallum, Mohar, Neuman, Severson, Shaw, Smith, Stimatz, Thayer, Tveit.
Total 19

Excused: Farrell, Himsl.
Total 2

Absent or not voting: None.
Total 0

Senator Himsl present at this time.

HB 667 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Hammond, Himsl.
Total 2

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

HB 684 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Regan, Severson, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Boylan, Mohar, Pinsoneault, Shaw, Smith, Thayer.
Total 6

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

HB 873 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Goodover in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 467 - That SB 467, second reading copy, be amended as follows:

1. Page 29, line 4.
Following: "DISAPPROVAL"
Insert: "of the code"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

Senator Neuman excused at this time.

That SB 467, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Farrell, Neuman.
Total 2

Absent or not voting: None.
Total 0

SJR 41 - That SJR 41 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Farrell, Neuman.
Total 2

Absent or not voting: None.
Total 0

Senator Neuman present at this time.

SB 22 - That House amendments to SB 22 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

SB 129 - That House amendments to SB 129 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Christiaens.
Total 1

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

SB 182 - Senator Crippen moved that House amendments to SB 182 be moved to the bottom of the board. Motion carried unanimously.

SB 204 - Senator Mazurek moved that House amendments to SB 204 be moved to the bottom of the board. Motion carried unanimously.

SB 361 - That House amendments to SB 361 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.

Total 0

SB 390 - That House amendments to SB 390 be not concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

SB 400 - That House amendments to SB 400 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

SB 419 - That House amendments to SB 419 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

SB 449 - That House amendments to SB 449 be not concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 40

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: Haffey, Halligan, Kolstad, Lane, Lynch, Severson, Smith, Tveit, Williams.
Total 9

SB 452 - That House amendments to SB 452 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

SB 462 - That House amendments to SB 462 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

SJR 22 - That House amendments to SJR 22 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

SJR 32 - That House amendments to SJR 32 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

SB 325 - That the Governor's amendments to SB 325 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

SB 26 - Senator Van Valkenburg moved that the conference committee report on House amendments to SB 26 be moved to the bottom of the board. Motion carried unanimously.

SB 109 - That the conference committee report on House amendments to SB 109 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

SB 349 - That the free conference committee report on SB 349 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

HB 843 - Senator Van Valkenburg moved that HB 843 be moved to the top of the board. Motion carried unanimously.

That HB 843, third reading copy, be amended as follows:

Attach the following statement of intent:

Statement of Intent
HB 843

A statement of intent is necessary for this bill because section 18 grants rulemaking authority to the department of social and rehabilitation services. The department may adopt rules necessary to implement this act and rules making the ongoing administration of the general relief program more efficient, including the adoption of federally assisted public assistance program methodology. If the amount appropriated for this program appears to be insufficient, the department shall make rules to limit expenditures to the

amount of the appropriation. The department is prohibited from interfering with the rights of counties without state-assumed welfare services to determine eligibility, types of services, and amounts of assistance available to indigents which are not inconsistent with this act. This grant of rule-making authority is in addition to any existing authority of the department to make rules on the subject of the provisions of this act.

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

That HB 843, third reading copy, be further amended as follows:

AMEND THE SENATE PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE REPORT OF 4/15/85 AS FOLLOWS:

1. Amendments 1, 2, 3, 4, 11, 24, 25, 31, and 32.
Strike: amendments 1, 2, 3, 4, 11, 24, 25, 31, and 32 in their entirety

2. Amendment No. 29.
Following: "Insert:"
Strike: "18"
Insert: "19"

3. Amendment No. 30.
Following: "Insert:"
Strike: "18"
Insert: "19"

AMEND HOUSE BILL NO. 843, THIRD READING COPY, AS FOLLOWS:

1. Page 3, line 23.
Following: "chapter."
Insert: "Except as provided otherwise in [sections 4 and 10], the terms do not include able-bodied persons under the age of 50 unless they have dependent minor children living in the household."

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Conover, Crippen, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Weeding, Williams.
Total 31

Noes: Blaylock, Christiaens, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lybeck, Lynch, Manning, Mazurek, Regan, Stimatz, Towe, Van Valkenburg, Yellowtail, Mr. President.
Total 18

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

That HB 843, third reading copy, be further amended as follows:

AMEND THE STATEMENT OF INTENT AS FOLLOWS:

1. Before the last sentence, insert the following new paragraph: "In determining eligibility for 50% of the normal amount for general relief under sections 4(4) and 10(3), the department shall define "reasonable effort to obtain employment" in terms of the number of job contacts the applicant has made in the preceding 30 days. To qualify as a job contact, two conditions must be met. First, the applicant must present himself to a prospective employer as available for work. Second, the prospective employer must ordinarily employ persons in a capacity for which the applicant is reasonably qualified by means of experience, training, or ability. The applicant may present himself to the prospective employer in a personal visit or by some other method generally accepted in the prospective employer's business or industry. The department may require no more than five such contacts in the preceding 30 days, but it must require that at least one contact be made in a county other than the county of residence or in another state."

2. Begin a new paragraph after this insertion.

AMEND HOUSE BILL NO. 843, THIRD READING COPY AS FOLLOWS:

1. Page 7.
Following: line 14
Insert: "(4) Any person found not eligible under subsection (3) may apply for a special ruling that he is eligible for and may be granted 50% of the normal amount for general relief if he establishes that:

(a) he is eligible under the other provisions of this section;

(b) he is not currently receiving nonmedical assistance under any federal, state, or local program;

(c) he has made a reasonable effort to obtain employment; and

(d) he has not refused any offer of employment in the last 30 days."
Renumber: subsequent subsections

2. Page 13.
Following: line 21
Insert: "(3) Any person found eligible for general relief for no more than 3 months may apply for a special ruling that he is eligible for and may be granted 50% of the normal amount for general relief for the remainder of the 12-month period if he establishes that:

(a) he is eligible under the provisions of [section 4];

(b) he is not currently receiving nonmedical assistance under any federal, state, or local program;

(c) he has made a reasonable effort to obtain employment; and

(d) he has not refused any offer of employment in the last 30 days."

Renumber: subsequent subsections

Amendment failed as follows:

Ayes: Blaylock, Christiaens, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lybeck, Lynch, Manning, Mazurek, Mohar, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 20

Noes: Aklestad, Anderson, Bengtson, Boylan, Brown, Conover, Crippen, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, Lane, McCallum, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams.
Total 28

Excused: Farrell.
Total 1

Absent or not voting: Hirsch.
Total 1

That HB 843, as amended, be not concurred in. Senator Stephens made a substitute motion that HB 843, as amended, be concurred in. Substitute motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Conover, Crippen, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Weeding, Williams.
Total 31

Noes: Blaylock, Christiaens, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lybeck, Lynch, Manning, Mazurek, Regan, Stimatz, Towe, Van Valkenburg, Yellowtail, Mr. President.
Total 18

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

HB 211 - That HB 211, third reading copy, be amended as follows:

1. Title, line 12.
Following: "1986-87;"
Insert: "TO REQUIRE THE BOARD OF PUBLIC EDUCATION TO SUBMIT ANY REQUEST FOR A LEGISLATIVE APPROPRIATION FOR STATE EQUALIZATION AID TO THE BUDGET DIRECTOR PRIOR TO A LEGISLATIVE SESSION;"

2. Title, line 13.
Following: "SECTIONS"
Insert: "17-7-111, 17-7-112, 20-2-121,"
Following: "20-9-319,"

Insert: "AND 20-9-344,"

3. Page 8.
Following: line 11
Insert: "Section 5. Section 17-7-111, MCA, is amended to read:

"17-7-111. Agency program budgets — form distribution and contents. (1) In the preparation of a state budget, the budget director shall, not later than July 1 in the year preceding the convening of the legislature, distribute to all state offices and departments, including the judicial branch and the legislative branch, the proper forms necessary for the preparation of budget estimates. These forms shall be prescribed by the budget director to procure the information required by subsection (2) and subsection (3).

(2) The agency budget requests, when completed by the budget office, must set forth a balanced financial plan for the agency completing the forms for each fiscal year of the ensuing biennium. ~~The~~ Except as provided in subsection (3), the plan must consist of:

(a) a consolidated agency budget summary for current level expenditures and for each modification request setting forth the aggregate figures of the full-time equivalent personnel positions (FTE) and the budget in such manner as to show a balance between the total proposed disbursements and the total anticipated receipts, together with the other means of financing the budget for each fiscal year of the ensuing biennium, contrasted with the corresponding figures for the last completed fiscal year and the fiscal year in progress. The consolidated budget summary must be supported by schedules classifying receipts and disbursements contained therein by fund and, where applicable, organizational unit.

(b) a schedule of the actual and projected receipts, disbursements, and solvency of each accounting entity within each fund for the current and subsequent biennium;

(c) a detailed schedule of receipts, by accounting entity within each fund, indicating classification and source of funds;

(d) an agency schedule summarizing past and proposed spending plans and the means of financing the proposed plan. Information presented shall include the following:

(i) a statement of agency goals and objectives and a statement of goals and objectives for each program of the agency;

(ii) actual FTE and disbursements for the completed fiscal year of the current biennium, estimated FTE and disbursements for the current fiscal year, and the agency's request for the ensuing biennium, by program; and

(iii) actual disbursements for the completed fiscal year of the current biennium, estimated disbursements for the current fiscal year, and the agency's recommendations for the ensuing biennium, by disbursement category;

(e) any other information the budget director feels is necessary for the preparation of a budget.

(3) The board of public education shall submit any request for a legislative appropriation for state equalization aid as provided in

20-9-343, in the form and manner prescribed by the budget director.

~~(3)~~(4) The budget director must also prepare and submit to the legislative fiscal analyst in accordance with 17-7-112:

(a) detailed recommendations for the state long-range building program. Each recommendation shall be presented by department, institution, agency, or branch by funding source, with a description of each proposed project; and

(b) the proposed pay plan schedule for all executive branch employees, with the specific cost and funding recommendations for each agency. Submission of a pay plan schedule under this subsection is not an unfair labor practice under 39-31-401."

Section 6. Section 17-7-112, MCA, is amended to read:

"17-7-112. Submission deadline. (1) It shall be the duty of each department, agency, and office, including the Montana university system and the board of public education, to submit the information required under 17-7-111 to the budget director on or before September 1 in the even year preceding the convening of the legislature.

(2) Between August 15 and September 30 in the year preceding the convening of the legislature, the director must submit each state agency's budget request required under 17-7-111(2) or (3) to the legislative fiscal analyst. The transfer of budget information shall be done on a schedule mutually agreed to by the budget director and the legislative fiscal analyst in a manner that facilitates an even transfer of budget information during the month of September and which allows each office to maintain a reasonable staff workflow.

(3) If any department, institution, university unit, or agency shall fail to present such information within the time herein specified, the budget director shall note that fact in the budget submitted to the governor and the budget director shall prepare and submit to the legislative fiscal analyst and the governor by October 30 a budget request on behalf of such department, institution, university unit, or agency, based upon his studies of the operations, plans, and needs thereof.

(4) The proposed pay plan schedule required by 17-7-111~~(3)~~(4) must be submitted to the legislative fiscal analyst no later than November 15 in the year preceding the convening of the legislature."

Section 7. Section 20-2-121, MCA, is amended to read:

"20-2-121. Board of public education — powers and duties. The board of public education shall:

(1) effect an orderly and uniform system for teacher certification and specialist certification and for the issuance of an emergency authorization of employment by adopting the policies prescribed by 20-4-102 and 20-4-111;

(2) consider the suspension or revocation of teacher or specialist certificates and appeals from the denial of teacher or specialist certification in accordance with the provisions of 20-4-110;

(3) administer and order the distribution of state equalization aid in accordance with the provisions of 20-9-344;

(4) adopt and enforce policies to provide uniform standards and regulations for the design, construction, and operation of school buses in accordance with the provisions of 20-10-111;

(5) approve or disapprove a reduction of the number of hours in a district's school day in accordance with the provisions of 20-1-302;

(6) adopt policies prescribing the conditions when school may be conducted on Saturday and the types of pupil-instruction-related days and approval procedure for such days in accordance with the provisions of 20-1-303 and 20-1-304;

(7) adopt standards of accreditation and establish the accreditation status of every school in accordance with the provisions of 20-7-101 and 20-7-102;

(8) approve or disapprove educational media selected by the superintendent of public instruction for the educational media library in accordance with the provisions of 20-7-201;

(9) adopt policies for the conduct of special education in accordance with the provisions of 20-7-402;

(10) adopt rules for issuance of documents certifying equivalency of completion of secondary education in accordance with 20-7-131; ~~and~~

(11) adopt policies for the conduct of programs for gifted and talented children in accordance with the provisions of 20-7-903 and 20-7-904; ~~and~~

(12) submit any request for a legislative appropriation for state equalization aid as provided in 20-9-343 to the budget director under the provisions of 17-7-111 on or before September 1 in the even-numbered year preceding the convening of the legislature; and

~~(12)~~(13) perform any other duty prescribed from time to time by this title or any other act of the legislature."

Section 8. Section 20-9-344, MCA, is amended to read:

"20-9-344. Purpose of state equalization aid and duties of the board of public education for distribution. (1) The money available for state equalization aid shall be distributed and apportioned to provide an annual minimum operating revenue for the elementary and high schools in each county, exclusive of revenues required for debt service and for the payment of any and all costs and expense incurred in connection with any adult education program, recreation program, school food services program, new buildings, new grounds, and transportation.

(2) The board of public education shall administer and distribute the state equalization aid in the manner and with the powers and duties provided by law. To this end, the board of public education shall:

(a) adopt policies for regulating the distribution of state equalization aid in accordance with the provisions of law;

(b) have the power to require such reports from the superintendent of public instruction, the county superintendents, budget boards, county treasurers, and trustees as it may deem necessary; and

(c) order the superintendent of public instruction to distribute the state equalization aid on the basis of each district's annual entitlement to such aid as established by the superintendent of public instruction. In ordering the distribution of state equalization aid, the board of public education shall not increase or decrease the state equalization aid distribution to any district on account of any difference which may occur during the school fiscal year between budgeted and actual receipts from any other source of school revenue.

(3) Should a district receive more state equalization aid than it is entitled to, the county treasurer must return the overpayment to the state upon the request of the superintendent of public instruction in the manner prescribed by the department of commerce."

NEW SECTION. Section 9. Extension of authority. Any existing authority of the board of public education to make rules on the subject of the provisions of sections 5 through 8 is extended to the provisions of sections 5 through 8."

Renumber: subsequent section

Amendment failed as follows:

Ayes: Aklestad, Bengtson, Blaylock, Boylan, Christiaens, Daniels, Eck, Fuller, Hirsch, Manning, Mazurek, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Thayer, Towe, Van Valkenburg.
Total 20

Noes: Anderson, Brown, Conover, Crippen, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, McCallum, Mohar, Stephens, Stimatz, Story, Tveit, Weeding, Williams, Yellowtail.
Total 26

Excused: Farrell.
Total 1

Absent or not voting: Haffey, Halligan, Mr. President.
Total 3

That HB 211 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

HB 625 - That HB 625 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

HB 636 - That HB 636 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Fuller, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 41

Noes: Blaylock, Eck, Lybeck, Regan, Towe.
Total 5

Excused: Farrell.
Total 1

Absent or not voting: Haffey, Story, Williams.
Total 3

HB 394 - Senator Brown moved that the Governor's amendments to HB 394 be moved to the bottom of the board. Motion carried unanimously.

JOINT RULE 7-8 - That JOINT RULE 7-8 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Crippen, Halligan.
Total 2

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

SB 182 - Senator Shaw moved that consideration on House amendments to SB 182 be passed. Motion carried unanimously.

SB 204 - That House amendments to SB 204 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

SB 26 - That the conference committee report on House amendments to SB 26 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

HB 394 - That the Governor's amendments to HB 394 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.

Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Goodover moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

TAXATION (Towe, Chairman): 4/16/85

HB 45, be concurred in. Report adopted.

HB 374, third reading copy, be amended as follows: 4/17/85

1. Title, line 8.
Following: "~~SALES~~"
Insert: "AND BEER TAX REVENUE ALLOCATED TO THE GENERAL FUND"

2. Title.
Following: line 8
Strike: "SECTION"
Insert: "SECTIONS 16-1-408 AND"

3. Page 2.
Following: line 4
Insert: "Section 1. Section 16-1-408, MCA, is amended to read:

"16-1-408. Additional tax. An additional tax of ~~$1~~ $1.30 per barrel is levied and imposed as provided by 16-1-406, and such additional tax is also to be levied and imposed at the same rate upon beer manufactured within the state. ~~The~~ One dollar of this additional tax ~~of $1~~ is to be deposited, notwithstanding 16-1-306 and 16-1-410 or any other provision, with the state treasurer to the credit of the department of institutions each quarter for the treatment, rehabilitation, and prevention of alcoholism as approved by the state~~.~~, and 30 cents of this additional tax is to be deposited in the general fund.""
Renumber: subsequent sections

4. Page 2, line 6.
Following: "~~31~~"
Strike: "26"
Insert: "27"

5. Page 2, line 23.
Following: "~~15~~"
Strike: "10"
Insert: "11"
Following: "~~5~~"
Strike: "7.33"
Insert: "8.34"

And, as amended, be concurred in. Report adopted.

HB 430, third reading copy, be amended as follows:

1. Title, line 9.
Following: "INSURED"
Insert: ", WITH A TERMINATION DATE FOR SUCH FUNDING SOURCE"

2. Page 3.

Following: line 10
Insert: "Section 6. Termination of funding source. The provisions of section 2 pertaining to the source of funding for the act terminate on June 30, 1987."

And, as amended, be concurred in. Report adopted.

HB 696, third reading copy, be amended as follows:

1. Page 2, line 7.
Following: "~~property.~~"
Insert: "For taxable periods beginning after December 31, 1985, the cost indicator for railroads, airlines, and other federally protected taxpayers shall be treated consistent with federal law."

And, as amended, be concurred in. Report adopted.

HB 870, third reading copy, be amended as follows:

1. Title, line 10.
Following: "~~AND~~"
Strike: ","
Insert: "AND"

2. Title, line 11.
Following: "DATE"
Strike: ", AND A TERMINATION DATE"

3. Page 3, line 6.
Strike: "$6"
Insert: "$12"
Strike: "$7.50"
Insert: "$14"

4. Page 3, line 10.
Strike: "3"
Insert: "6"
Strike: "4"
Insert: "7"

5. Page 6, line 4.
Following: "applicability"
Strike: "— termination"
Following: "."
Strike: "(1)"

6. Page 6, line 7.
Strike: subsection (2) in its entirety

And, as amended, be concurred in. Report adopted.

HB 943, be concurred in. Report adopted.

Adverse Committee Reports

HB 892, be not concurred in. Adverse committee report adopted as follows: 4/16/85

Ayes: Aklestad, Anderson, Bengtson, Boylan, Christiaens, Crippen, Daniels, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Himsl, Hirsch, Kolstad, Lybeck, Manning, McCallum, Neuman, Pinsoneault, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 33

Noes: Blaylock, Brown, Conover, Eck, Halligan, Harding, Jacobson, Keating, Lane, Lynch, Mazurek, Mohar, Regan, Towe, Yellowtail.
Total 15

Excused: Farrell.
Total 1

Absent or not voting: Severson.
Total 1

REPORTS OF SELECT COMMITTEES

Conference Committee
on Senate Amendments to House Bill No. 44
Report No. 1, April 16, 1985

Mr. President:

We, your Conference Committee on Senate Amendments to House Bill No. 44 met and considered:

Judiciary Committee report, March 19, 1985.

We recommend as follows:

That House Bill No. 44, reference copy, be amended as follows:

1. Page 2, line 11.
Following: "~~shall~~"
Strike: "MAY"
Insert: "shall"

2. Page 4, line 2.
Following: "~~shall~~"
Strike: "MAY"
Insert: "shall"

And that this Conference Committee report be adopted.

For the Senate:

Pinsoneault, Chairman
Daniels
Brown

For the House:

Gilbert
Hannah

Waldron

Conference Committee
on House Bill No. 608
Report No. 1, April 16, 1985

Mr. President:

We, your Conference Committee on House Bill No. 608 met and considered:

Blaylock's Committee of the Whole Amendment.

We recommend as follows:

That House Bill No. 608, reference copy, be amended as follows:

1. Strike: the amendments in their entirety

And that this Conference Committee report be adopted.

For the Senate:

For the House:

Blaylock, Chairman
Yellowtail
Brown

Eudaily
Thomas
Waldron
M. Williams

Free Conference Committee
on Senate Bill No. 236
Report No. 1, April 17, 1985

Mr. President:

We, your Free Conference Committee on Senate Bill No. 236 met and considered:

Senate Bill No. 236.

We recommend as follows:

That Senate Bill No. 236, reference copy, be amended as follows:

1. Page 3, line 2.
Following: "~~term.~~"
Insert: "A renewal lease may be canceled pursuant to 77-6-113, 77-6-208, 77-6-209, or 77-6-210 for a violation by the lessee that occurred during the previous lease term but no more than 3 years prior to the date on which the notice of cancellation required by 77-6-211 is issued."

And that this Free Conference Committee report be adopted.

For the Senate:

Conover, Chairman
Lane
Smith

For the House:

Bardanouve
Rehberg
Ramirez
Howe

Free Conference Committee
on House Bill No. 286
Report No. 1, April 16, 1985

Mr. President:

We, your Free Conference Committee on House Bill No. 286 met and considered:

Senate Judiciary report, March 15, 1985.

We recommend as follows:

That House Bill No. 286, reference copy, be amended as follows:

1. Page 3, line 13.
Strike: "UTILITY"
Insert: "prevailing party"

2. Page 3, line 15.
Strike: "MAINTAINING"

3. Page 3, line 17.
Strike: "TO PROVE THE UTILITY'S CASE"

And that this Free Conference Committee report be adopted.

For the Senate:

Lybeck, Chairman

For the House:

Kadas

Boylan
Tveit
Kitselman
Krueger
Mercer

Free Conference Committee
on House Bill No. 585
Report No. 1, April 17, 1985.

Mr. President:

We, your Free Conference Committee on House Bill No. 585 met and considered:

Senate Judiciary Report, March 23, 1985

We recommend as follows:

That House Bill No. 585, reference copy, be amended as follows:

1. Title, line 7.
Following: "~~IMPOSED;~~"
Insert: "CREATING A PRESUMPTION IN FAVOR OF THE SENTENCE IMPOSED;"

2. Page 2, line 9.
Following: "~~imposed.~~"
Insert: "The sentence imposed by the district court is presumed correct."

And that this Free Conference Committee report be adopted.

For the Senate:

Daniels, Chairman
Mazurek
Galt

For the House:

Addy
Gould
Hannah
Rapp-Svrcek

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 17, 1985

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 283, 309, 337, and 420 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 17, 1985

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Vincent:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return Senate Bill No. 28, "AN ACT PROVIDING FOR A 2-YEAR EXTENSION OF THE EXISTENCE OF THE RESERVED WATER RIGHTS COMPACT COMMISSION; PROVIDING FOR FEDERAL APPROVAL OF A COMPACT ONLY IF LEGALLY NECESSARY; LIMITING THE OBJECTIONS THAT MAY BE MADE TO A COMPACT IN THE WATER COURTS; ~~REQUIRING THAT THE TERMS OF A COMPACT SET FORTH IN A PRELIMINARY DECREE BE REPRODUCED UNCHANGED~~ PROVIDING AN ALTERNATE STATEMENT OF CLAIM FOR RESERVED RIGHTS NOT YET PUT TO USE; SPECIFYING THE INFORMATION RELATING TO RESERVED RIGHTS TO BE INCLUDED~~;~~ IN THE FINAL DECREE; EXTENDING FROM 60 DAYS TO 6 MONTHS THE TIME PERIOD FOR FILING IN THE WATER COURT CLAIMS UNRESOLVED BY THE COMPACT COMMISSION; REQUIRING THE COMMISSION TO MAKE STATUS REPORTS TO THE WATER JUDGE; AMENDING SECTIONS 85-2-217, 85-2-224, 85-2-231, 85-2-233, 85-2-234, ~~AND~~ 85-2-702, AND 85-2-704, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE," without my signature and recommend the attached amendments for the following reasons.

The primary purpose of Senate Bill No. 28 is to provide a two-year extension of the Montana Reserved Water Rights Compact Commission. As originally proposed, the bill also clarified the process by which negotiated compacts would be incorporated into the ongoing general stream adjudication. Senate Bill No. 28 was further amended in both the Senate and the House.

Testimony in support of this legislation was offered by the Compact Commission, the Attorney General of the State of Montana, and a number of Montana Tribes. I have been informed by the Chairman of the Compact Commission, however, that the United States Department of Justice has since voiced concerns to certain of the amendments and, on that basis, is withholding approval of the proposed Fort Peck-Montana Compact which is now before the Legislature for consideration.

The authority of the Department of Justice to approve the negotiated compact is based on its authority to settle the pending federal lawsuits and adjudications in the State Water Court. Because the amendments to Senate Bill No. 28 provide procedures for compacts that are different from those that may be followed for other claims filed in the Water Court, the Department of Justice is uncertain about its authority to approve the compact. If the Department of Justice declines to approve the compact, Congressional ratification would be required before the compact could become effective.

The Compact Commission is currently negotiating with six other Montana Tribes and three federal agencies. The process of Congressional ratification for one compact, let alone ten or eleven, would undoubtedly delay the resolution of these issues and the general adjudication of water rights in the state.

The amendments I am proposing eliminate the objections of the United States Department of Justice to the approval of the Fort Peck-Montana Compact, without limiting the legal arguments available to the State to protect the integrity of the compact process at the appropriate time.

I urge your concurrence in these amendments.

Governor's Proposed Amendments
to SB 28

1. Page 1, line 8 through line 9.
Following: "NECESSARY"
Strike: "LIMITING THE OBJECTIONS THAT MAY BE MADE TO A COMPACT IN THE WATER COURTS;"

2. Page 7, line 10 through line 20.
Strike: subsection (5) in its entirety
Renumber: subsequent subsections

3. Page 7, line 22.
Following: "compact"
Insert: "negotiated and ratified under 85-2-702 or 85-2-703"

4. Page 7, line 22.
Following: "action"
Strike: "based in whole or in part on those grounds for objection stated in subsection (5)."
Insert: "in the water court."

5. Page 7, line 25 through page 8, line 1.
Following: "objection"
Strike: "under subsection (5)"
Insert: "to a compact"

6. Page 8, line 1.
Following: "it"
Strike: "shall"
Insert: "may"

7. Page 8, line 24.
Following: "85-2-233"
Strike: "."
Insert: "; provided that the court may not alter or amend any of the terms of a compact except with the prior written consent of the parties in accordance with applicable law."

8. Page 11, line 21.
Following: "body"
Insert: ", and approval by the appropriate federal authority."

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 17, 1985

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Vincent:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return Senate Bill No.

392, "AN ACT TO AUTHORIZE IMPOSITION OF THE DEATH PENALTY ~~FOR INMATES OF THE STATE PRISON WHO HAVE BEEN DETERMINED TO BE PERSISTENT FELONY OFFENDERS OR HAVE BEEN CONVICTED OF DELIBERATE HOMICIDE AND WHO COMMIT CERTAIN ENUMERATED CRIMES WHILE INCARCERATED~~ OR LIFE IMPRISONMENT FOR PERSONS INCARCERATED IN THE STATE PRISON WHO COMMIT CERTAIN ENUMERATED CRIMES WHILE INCARCERATED AND HAVE BEEN PREVIOUSLY DETERMINED TO BE PERSISTENT FELONY OFFENDERS OR HAVE BEEN PREVIOUSLY CONVICTED OF DELIBERATE HOMICIDE; AMENDING SECTION 46-18-303, MCA," without my signature and recommend the attached amendments for the following reasons.

As passed, Senate Bill No. 392 provides that a person serving a sentence of imprisonment in the state prison who was convicted of deliberate homicide, or determined to be a persistent felony offender, could be sentenced to death for committing certain crimes against guards or other prisoners. Those crimes subjecting the prisoner to the death penalty include attempted deliberate homicide, aggravated assault, or aggravated kidnapping. Death to the victim is not a prerequisite to the imposition of the death penalty.

In other words, if a person is incarcerated in the state prison because of committing a second felony, (such as two convictions for issuing bad checks as part of a common scheme), and he is found guilty of committing attempted deliberate homicide, aggravated assault or kidnapping, he can be sentenced to death.

Certain aspects of Senate Bill No. 392 raise serious questions of unconstitutionality. The imposition of the death penalty in the situations described, may constitute cruel and unusual punishment under the United States Constitution and the Constitution of the State of Montana, and may also deny equal protection. In Coker v. Georgia, 97 S. Ct. 2861 (1977), the United States Supreme Court held that "a sentence of death is grossly disproportionate and excessive punishment" for a crime where the victim did not die and is therefore forbidden by the Eighth Amendment as cruel and unusual punishment.

By not requiring death of the victim before the death penalty can be imposed, this bill takes us one step beyond the ancient Hammurabic Code which only requires an eye for an eye....

Even social undesirables — "losers" — are entitled to those basic constitutional rights guaranteed in America. It is only when the rights of these outcasts are protected that the rights of the law-abiding remain safe. Acceptance of any lesser standard would make us all vulnerable to tyranny.

The amendments I am proposing prevent the death penalty from being imposed when the commission of the specified crime does not result in the death of the victim but still allow the imposition of a sentence of life imprisonment.

I urge your concurrence in these amendments.

Governor's Proposed Amendments
to SB 392

1. Title, lines 4 and 5.
Following: "AUTHORIZE" on line 4
Strike: "IMPOSITION OF THE DEATH PENALTY"

2. Title, line 8.

Following: "~~INCARCERATED~~"
Strike: "OR"

3. Title, line 13.
Following: "HOMICIDE"
Strike: "; AMENDING SECTION 46-18-303, MCA"

4. Page 2, line 1.
Following: "PRISON"
Strike: "— DEATH PENALTY"

5. Page 2, line 3.
Following: "PRISON"
Insert: "who has previously been convicted of the offense of deliberate homicide or who has been determined to be a persistent felony offender pursuant to Title 46, chapter 18, part 5, and who is"

6. Page 2, line 6.
Following: "TO"
Strike: "DEATH OR"
Following: "IMPRISONMENT"
Strike: "AS PROVIDED IN 46-18-301 THROUGH 46-18-310"

7. Page 2, line 8 through page 3, line 14.
Strike: section 2 in its entirety

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 17, 1985

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Vincent:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill No. 497, "AN ACT TO ~~REMOVE THE REQUIREMENT THAT THE APPROVAL AGENTS FOR A HIGH SCHOOL TUITION APPLICATION MUST APPROVE SUCH AN APPLICATION WHEN A CHILD LIVES CLOSER TO A HIGH SCHOOL OF ANOTHER DISTRICT THAN TO ANY HIGH SCHOOL WITHIN THE CHILD'S RESIDENT DISTRICT; TO~~ PROVIDE THAT THE APPROVAL AGENTS ARE NOT REQUIRED TO APPROVE A TUITION APPLICATION IF THE RESIDENT DISTRICT PROVIDES TRANSPORTATION UNLESS CERTAIN CONDITIONS EXIST; AMENDING SECTION 20-5-311, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE," without my signature and recommend the attached amendment for the following reasons.

As amended, House Bill No. 497 duplicates language contained in House Bill No. 608 concerning the approval of tuition applications for children required to attend high school outside the district of residence as a result of a court order.

House Bill No. 497 establishes that the tuition approval agents are not required to approve a tuition application for a student seeking to attend high school outside his resident district if the resident district provides transportation. This exception, however, does not apply when the child has been declared by a court to be an abused, neglected, or dependent child or a delinquent youth and has been ordered to be placed in a licensed care institution outside the district of residence.

House Bill No. 608 states that the approval agents shall approve a tuition application when the child is required to attend high school outside the district of residence as a result of an order of a court of competent jurisdiction.

Because the language contained in House Bill No. 497 is more restrictive than the language contained in House Bill No. 608, there is a possibility of confusion in attempting to interpret House Bill No. 497 and House Bill No. 608, which both amend 20-5-311, MCA. The language contained in House Bill No. 608 clearly requires the approval agents to approve a tuition application for children who are placed out of their district of residence pursuant to court order. Because the language contained in House Bill No. 608 is more straightforward, it is preferred over the more restrictive language contained in House Bill No. 497. The sponsor of House Bill No. 497, Representative Francis Koehnke, has therefore requested that I return the bill with a proposed amendment eliminating from House Bill No. 497 the paragraph dealing with changes in school district resulting from a court order.

My proposed amendment would make the proposed change without affecting the other provisions of the bill.

I urge your concurrence in this amendment.

Governor's Proposed Amendments
to HB 497

1. Page 3, line 6.
Following: "LOCATED;"
Insert: "or"

2. Page 3, lines 7 through 14.
Strike: paragraph (II) in its entirety
Renumber: paragraph (III)

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The House, on 4/17/85, requested the return of SB 370 for further consideration.

The House, on 4/17/85, dissolved the conference committee on Senate amendments to HB 286 and appointed a free conference committee.

The Speaker appointed the following members:

Representative Kadas
Representative Kitselman
Representative Krueger
Representative Mercer

The House, on 4/17/85, dissolved the conference committee on House amendments to SB 221 and appointed a free conference committee.

The Speaker appointed the following members:

Representative Driscoll
Representative Glaser
Representative Pavlovich
Representative Schultz

The House, on 4/17/85, dissolved the conference committee on Senate amendments to HB 554 and appointed a free conference committee.

The Speaker appointed the following members:

Representative Connelly
Representative Driscoll
Representative Jones
Representative Kitselman

The House, on 4/17/85, acceded to the request of the Senate and appointed a conference committee to meet with a committee from the Senate to confer on House amendments to SB 33.

The Speaker appointed the following members:

Representative Harp
Representative Schye
Representative Switzer
Representative Williams

The House, on 4/17/85, acceded to the request of the Senate and appointed a conference committee to meet with a committee from the Senate to confer on House amendments to SB 431.

The Speaker appointed the following members:

Representative Gould
Representative Ramirez
Representative Ream
Representative Schye

MOTIONS

Senator Van Valkenburg moved that the rules be temporarily suspended for the purpose of placing SB 467 and SJR 41 on third reading this legislative day. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: Severson.

Total 1

Senator Mazurek moved that the President be empowered to appoint a free conference committee to meet with a committee from the House of Representatives to confer on SB 390. Motion carried unanimously.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SJR 39 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

HB 168 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 41

Noes: Aklestad, Brown, Galt, Hammond, Kolstad, Lybeck, Mazurek, Smith.
Total 8

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

HB 869 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Keating, Story.
Total 2

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

HB 924 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

SB 467 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

SJR 41 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Farrell.
Total 1

Absent or not voting: None.

Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the rules be temporarily suspended for the purpose of allowing all bills passed on second reading on the 85th legislative day to be advanced to third reading that same day. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Goodover, Shaw.
Total 2

Excused: Farrell.
Total 1

Absent or not voting: Severson.
Total 1

Senator Van Valkenburg moved that the rules be temporarily suspended for the purpose of allowing all bills passed on second reading on the 88th legislative day to be advanced to third reading that same day. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Goodover, Kolstad, Shaw.
Total 3

Excused: Farrell.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the President be authorized to dissolve the conference committee on House amendments to SB 142 and that he be authorized to appoint a free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Halligan, Chairman
Senator Towe
Senator Severson

Senator Van Valkenburg moved that the Senate accede to the request of the House and that SB 370 be returned to the House for further consideration. Motion carried unanimously.

Senator Van Valkenburg moved that the Senate adjourn until 1:30 p.m., April 18, 1985.

Motion carried.

Senate adjourned at 5:35 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

EIGHTY-FOURTH LEGISLATIVE DAY

Helena, Montana
April 18, 1985

Senate Chambers
State Capitol

Senate convened at 1:30 p.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Eck, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the eighty-third legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 4/17/85
Considered correctly engrossed: SB 467, SJR 41.
Signed by the President at 2:30 p.m., 4/17/85: SB 19, SB 67, SB 106, SB 140, SB 289, SB 411, SB 436, HB 279, HB 490, HB 770, HB 807, HB 844.
Delivered to the Governor for his approval at 9:45 a.m., 4/18/85: SB 19, SB 67, SB 106, SB 140, SB 289, SB 411, SB 436.

Report adopted.

BUSINESS AND INDUSTRY (Christiaens, Vice Chairman): 4/18/85
HJR 51, be concurred in. Report adopted.

FINANCE AND CLAIMS (Regan, Chairman): 4/17/85
HB 500, third reading copy, be amended as follows:

Amendments are written as they appear in the bill with the language and figures changed and adjusted.

And, as amended, be concurred in. Report adopted.

TAXATION (Towe, Chairman): 4/17/85
HB 607, be concurred in. Report adopted.
HB 701, third reading copy, be amended as follows: 4/18/85

1. Title, line 9.
Following: "COMMITTEE"
Insert: "AND APPROVAL BY THE LEGISLATURE"

2. Title, line 14.
Following: "~~AUTHORITY;~~"
Insert: "APPROVING ACCEPTANCE BY THE DEPARTMENT OF IN-KIND PAYMENT OF THE DALY MANSION;"

3. Page 2, line 7.
Following: "ARE"
Strike: "RECEIVED"
Insert: "recommended"

4. Page 3.
Following: line 24
Insert: "a certified appraiser selected by"

5. Page 5, lines 10 and 11.
Following: "TO" on line 10
Strike: "APPROVE OR DISAPPROVE THE APPLICATION"

Insert: "recommend that the legislature approve the in-kind payment"

6. Page 5, line 12.
Following: "HAS"
Strike: "90"
Insert: "180"

7. Page 5, lines 24 and 25.
Following: "may" on line 24
Strike: remainder of line 24 through "donor" on line 25
Insert: "recommend that the legislature approve acceptance by the department"

8. Page 6, lines 12 and 13.
Following: "accept" on line 12
Insert: "an"
Following: "payment" on line 12
Strike: "only when"
Insert: "if"

9. Page 6.
Following: line 14
Strike: "$250,000"
Insert: "$100,000"
Following: ";"
Strike: "AND"

10. Page 6.
Following: line 15
Insert: "(b) the value of the in-kind payment does not exceed $400,000; and"

11. Page 6.
Following: line 15
Strike: "(B) AFTER"
Insert: "(c)"
Following: "OF THE" on line 16
Strike: "BOARD OF EXAMINERS"
Insert: "legislature"

12. Page 6, lines 22 through 25.
Strike: subsection (4) in its entirety

13. Page 7, lines 1 through 7.
Following: "payment." on line 1
Strike: remainder of line 1 through "(2)" on line 7

14. Page 7.
Following: line 24
Insert: "Section 7. Approval of Daly mansion for in-kind payment. The department of revenue is authorized to receive in-kind payment of the Daly mansion for a portion of the estate and inheritance taxes due the state in the matter of the Bessenyey estate, if:

(1) the total estate and inheritance taxes due exceed $100,000; and

(2) the value of the in-kind payment does not exceed $400,000."
Renumber: subsequent sections

15. Page 8, lines 4 through 9.
Following: "act" on line 4
Insert: "."

Strike: remainder of line 4 through line 9

And, as amended, be concurred in. Report adopted.

HB 901, be concurred in. Report adopted.

Adverse Committee Reports

HJR 47, be not concurred in. Adverse committee report adopted as follows: 4/17/85

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Goodover, Mohar, Thayer.
Total 3

Excused: Eck.
Total 1

Absent or not voting: Blaylock, Kolstad, McCallum.
Total 3

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman April 18, 1985
President of the Senate
State Capitol
Helena, Montana 59620

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 322 and 412 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The House, on 4/16/85, adopted the Standing Committee Report amending Joint Rule 7-8.

MOTIONS

Senator Stephens moved that the rules be temporarily suspended to allow the Senate to accept HJR 41. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Goodover, Shaw.

Total 2

Excused: Eck.
Total 1

Absent or not voting: Blaylock, Haffey.
Total 2

Senator Van Valkenburg moved that HB 224 be taken from the Committee on Long-Range Planning and that it be rereferred to the Committee on Finance and Claims. Motion carried unanimously.

Senator Van Valkenburg moved that the Senate reconsider its action in passing HB 206 on third reading on the 83rd legislative day and that it be placed on second reading. Motion carried unanimously.

Senator Van Valkenburg moved that the President be authorized to dissolve the conference committee on Senate amendments to HB 3 and that he be authorized to appoint a free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Haffey, Chairman
Senator McCallum
Senator Boylan

Senator Van Valkenburg moved that HB 607, on second reading this legislative day, be placed at the top of the board. Motion carried unanimously.

Senator Daniels moved that consideration on the Governor's amendments to SB 392, on second reading this legislative day, be passed until the 87th legislative day. Motion carried unanimously.

Senator Neuman moved that consideration on HB 430, on second reading this legislative day, be passed. Motion carried unanimously.

Senator Van Valkenburg moved that HB 211 be taken from third reading this legislative day and that it be placed on second reading. Motion carried unanimously.

Senator Eck present at this time.

Senator Conover excused at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 26, conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

Senator Severson excused at this time.

SB 109, conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Conover, Severson.
Total 2

Absent or not voting: None.
Total 0

Senator Severson present at this time.

SB 349, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Van Valkenburg.
Total 1

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HB 625 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Conover.

Total 1

Absent or not voting: None.
Total 0

HB 636 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Blaylock, Eck, Lybeck, Regan, Towe.
Total 5

Paired: Conover, Aye; Towe, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 843 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Conover, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Weeding, Williams.
Total 32

Noes: Blaylock, Christiaens, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lybeck, Lynch, Manning, Mazurek, Regan, Stimatz, Towe, Van Valkenburg, Yellowtail, Mr. President.
Total 18

Paired: Conover, Aye; Christiaens, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 22, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Conover.
Total 1

Absent or not voting: None.

Total 0

SB 129, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 45

Noes: Bengtson, Kolstad, Smith, Yellowtail.
Total 4

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

SB 204, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

SB 361, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

SB 400, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover,

Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

SB 419, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

SB 452, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Hammond, Keating, Kolstad, Shaw, Smith.
Total 5

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

Senator Goodover excused at this time.

SB 462, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz,

Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Conover, Goodover.
Total 2

Absent or not voting: None.
Total 0

Senator Goodover present at this time.

SJR 22, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Himsl, Story.
Total 2

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

Senator Severson excused at this time.

SJR 32, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Smith, Stephens, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Hammond, Mohar, Shaw, Story, Tveit.
Total 5

Excused: Conover, Severson.
Total 2

Absent or not voting: None.
Total 0

Senator Severson present at this time.

SB 325, Governor's amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens,

Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

SB 394, Governor's amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Smith.
Total 1

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

At the request of Senator Hammond, and without objection, Senator Hammond's vote on House amendments to SB 452 be recorded as no.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Mazurek in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 607 - That HB 607, third reading copy, be amended as follows:

1. Page 9, line 9.
Following: "operators"
Insert: "and provide copies of each qualified purchaser's coal haul contracts for all qualified coal purchased in that year"

2. Page 10, lines 7 and 8.
Following: "INSPECTION"
Strike: "— CERTAIN EXCEPTIONS"

3. Page 10, line 8.
Strike: "(1)"

4. Page 10, lines 10 through 22.
Following: "INSPECTION" on line 10

Insert: " "
Strike: remainder of line 10 through line 22

Senator Conover present at this time.

Amendment failed as follows:

Ayes: Blaylock, Brown, Christiaens, Conover, Eck, Fuller, Halligan, Lybeck, Manning, Mohar, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 17

Noes: Aklestad, Anderson, Bengtson, Boylan, Crippen, Daniels, Farrell, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Mazurek, McCallum, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams.
Total 33

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Conover excused at this time.

That HB 607, third reading copy, be amended as follows:

1. Page 5, line 23.
Following: "(1)"
Strike: "A"
Insert: "Subject to the provisions of subsection (4), a"

2. Page 6, line 3.
Following: "(2)"
Strike: "A"
Insert: "Subject to the provisions of subsection (4), a"

3. Page 6.
Following: line 15
Insert: "(4) The credit allowed in subsection (2)(b) is available to a coal mine operator only upon joint application to the department by the coal mine operator and a qualified purchaser. The department may not grant the credit applied for unless the applicants establish that, but for the credit, the contract would not have been awarded to the applicant coal mine operator. Evidence that a competing coal mine operator submitted a bid to the purchaser that, but for the credit, would be lower than the applicant coal mine operator's contract price with the qualified purchaser figured on the price per million BTUs delivered to the qualified purchaser's plant is conclusive and binding on the department. The application shall be made in the same manner as a petition for a ruling provided in section 4(4). Such a ruling may be limited to whether or not the applicants are eligible for the credit under this subsection, leaving the qualifications under other provisions for later determination."

4. Page 10, line 18.
Following: "SECTION 5(1)(B)"
Insert: "and section 3(4)"

Amendment failed as follows:

Ayes: Blaylock, Brown, Christiaens, Eck, Fuller, Halligan, Lybeck, Manning, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 15

Noes: Aklestad, Anderson, Bengtson, Boylan, Crippen, Farrell, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams.
Total 33

Excused: Conover.
Total 1

Absent or not voting: Daniels.
Total 1

Senator Bengtson excused at this time.

HB 607 - That HB 607 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Boylan, Crippen, Farrell, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Tveit, Weeding, Williams.
Total 33

Noes: Blaylock, Brown, Christiaens, Daniels, Eck, Fuller, Halligan, Lybeck, Manning, Regan, Story, Towe, Van Valkenburg, Yellowtail, Mr. President.
Total 15

Excused: Bengtson, Conover.
Total 2

Absent or not voting: None.
Total 0

HB 44 - That the conference committee report on Senate amendments to HB 44 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Bengtson, Conover.
Total 2

Absent or not voting: None.
Total 0

HB 608 - That the conference committee report on Senate amendments to HB 608 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Bengtson, Conover.
Total 2

Absent or not voting: None.
Total 0

SB 236 - At the request of the Chairman, and without objection, the free conference committee report on SB 236 be moved to the bottom of the board.

HB 127 - That the free conference committee report on HB 127 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Bengtson, Conover.
Total 2

Absent or not voting: None.
Total 0

HB 286 - That the free conference committee report on HB 286 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Bengtson, Conover.
Total 2

Absent or not voting: None.
Total 0

HB 585 - That the free conference committee report on HB 585 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Bengtson, Conover.
Total 2

Absent or not voting: None.
Total 0

HB 737 - That the free conference committee report on HB 737 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Bengtson, Conover.
Total 2

Absent or not voting: None.
Total 0

Senator Conover present at this time.

HB 45 - That HB 45 be concurred in. Motion carried as follows:

Ayes: Anderson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Lybeck, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Stephens, Stimatz, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 34

Noes: Aklestad, Boylan, Goodover, Keating, Kolstad, Shaw, Story, Thayer.
Total 8

Excused: Bengtson.
Total 1

Absent or not voting: Galt, Lane, Lynch, Neuman, Smith, Tveit, Williams.
Total 7

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed.

Mr. President in the Chair. Chairman Mazurek moved the adoption of the committee report. Report adopted.

Senator Van Valkenburg moved that the Senate recess, subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 4:02 p.m.

Senate reconvened at 4:42 p.m.

REPORTS OF STANDING COMMITTEES

FINANCE AND CLAIMS (Regan, Chairman): 4/18/85

HB 212, be concurred in. Report adopted.

HB 344, third reading copy, be amended as follows:

1. Page 2, line 24.
Strike: "$100,000"
Insert: "$70,000"

And, as amended, be concurred in. Report adopted.

HB 381, third reading copy, be amended as follows:

1. Title, line 6.
Strike: "$25,000"
Insert: "$57,000"

2. Page 1, line 14.
Strike: "$25,000"
Insert: "$57,000"

And, as amended, be concurred in. Report adopted.

HB 754, be concurred in. Report adopted.

HB 932, third reading copy, be amended as follows:

1. Title, lines 5 and 6.
Strike: "STATE" on line 5 through "EARNED" on line 6
Insert: "LICENSE"

And, as amended, be concurred in. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stimatz, Chairman): 4/18/85

SJR 38, introduced bill, be amended as follows:

1. Page 1, line 10.
Strike: lines 10 through 13 in their entirety

2. Page 2, line 6.
Following: "state"
Strike: remainder of line 6 through "Montana" on line 7

And, as amended, do pass. Report adopted.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill No. 54
Report No. 1, April 18, 1985

Mr. President:

We, your Free Conference Committee on Senate Bill No. 54 met and considered:

Senate Bill No. 54, April 17, 1985.

We recommend as follows:

That Senate Bill No. 54, reference copy, be amended as follows:

1. Title, line 7.
Following: "~~PERSONS~~"
Strike: "A PERSON"
Insert: "CERTAIN PERSONS"

2. Page 1, line 17.
Following: "~~authority~~"
Insert: "without lawful authority. A declaration made pursuant to [section 3 of House Bill No. 228] constitutes lawful authority"

3. Page 2, line 12.
Following: "UNDER"
Strike: "[THIS ACT]"
Insert: "53-5-525(2)"

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Towe, Chairman	Bergene
Mazurek	Eudaily
Galt	Miles
	Spaeth

Free Conference Committee
on House Bill No. 146
Report No. 1, April 18, 1985

Mr. President:

We, your Free Conference Committee on House Bill No. 146 met and considered:

Senate State Administration report, March 8, 1985.

We recommend as follows:

That House Bill No. 146, reference copy, be amended as follows:

1. Page 2, line 15.
Following: ".
Insert: "However, any powers and duties subject to the approval of the board of examiners may not be delegated."

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Haffey, Chairman	Driscoll
Boylan	Fritz
Farrell	Lory
	Keyser

Free Conference Committee
on House Bill No. 554
Report No. 1, April 17, 1985

Mr. President:

We, your Free Conference Committee on House Bill No. 554 met and considered:

Committee of the Whole Amendment

We recommend as follows:

That House Bill No. 554, reference copy, be amended as follows:

1. Statement of intent, page 1, line 8.
Following: "17-5-1526"
Insert: "(1)"

2. Page 5 of the bill, line 6.
Following: "~~39-30-201~~"
Insert: ", if their qualifications are substantially equal to those of nonresidents. "Substantially equal qualifications" means the qualifications of two or more persons among whom the employer cannot make a reasonable determination that the qualifications held by one person are significantly better suited for the position than the qualifications held by the other person"

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Neuman, Chairman	Connelly
Towe	
Thayer	Jones
	Kitselman

Free Conference Committee
on House Bill No. 707
Report No. 1, April 16, 1985

Mr. President:

We, your Free Conference Committee on House Bill No. 707 met and considered:

Senate Business and Industry Committee Amendments, March 20, 1985.

We recommend as follows:

That House Bill No. 707, reference copy, be amended as follows:

1. Page 2, line 22.
Strike: "2"
Insert: "20"

2. Page 4, line 18.
Following: "~~system~~"
Insert: "not connected to public water supply or sewage disposal system"

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Lynch, Chairman	Brandewie
Manning	Driscoll
Gage	Jenkins
	Manuel

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman
President of the Senate

April 18, 1985

State Capitol
Helena, Montana 59620

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Vincent:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill No. 891, "AN ACT TO GENERALLY REVISE THE LAWS PERTAINING TO EMINENT DOMAIN; AMENDING SECTIONS 70-30-110, 70-30-203, 70-30-207, AND 70-30-322, MCA," without my signature and recommend the attached amendment for the following reasons.

Section 1 of House Bill No. 891 amends 70-30-110, MCA, which presently allows the state or its agents to enter and survey a person's land for the purposes of surveying and examining its suitability for taking by eminent domain. At the present time, 70-30-110, MCA, does not require that notice be given to the landowner. Section 1 of this bill requires that a 30 day written notice be given, not only to the landowner, but also to "persons in possession of the land."

The state or its agents can readily determine who the owner of the land is by examining courthouse records. If, however, the land is leased, rented or a license given to someone to use it, the task of notification could be exceedingly difficult.

The amendment I am proposing provides a method whereby the names and addresses of "persons in possession of the land" can be determined for purposes of notification by the state.

I urge your concurrence in this amendment.

Governor's Proposed Amendments
to HB 891

1. Page 2, line 1.
Following: "malice."
Insert: "Upon written request of the state or its agents, the owner shall provide the names and addresses of all persons who are in possession of his land within 14 days from receipt of the written notice. The state or its agents shall within 14 days from receipt of such information furnish written notice to such persons."

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The House, on 4/18/85, acceded to the request of the Senate and appointed a conference committee to meet with a committee from the Senate to confer on House amendments to SB 119.

The Speaker appointed the following members:

Representative Bradley
Representative Brown
Representative Grady

Representative O'Hara

The House, on 4/18/85, dissolved the conference committee on House amendments to SB 142 and appointed a free conference committee.

The Speaker appointed the following members:

Representative Gilbert
Representative Raney
Representative Switzer
Representative Williams

The House, on 4/18/85, dissolved the conference committee on Senate amendments to HB 3 and appointed a free conference committee.

The Speaker appointed the following members:

Representative Marks
Representative Bardanouve
Representative Keyser
Representative Waldron

The House, on 4/18/85, dissolved the conference committee on House amendments to SB 33 and appointed a free conference committee.

The Speaker appointed the following members:

Representative Harp
Representative Schye
Representative Switzer
Representative Williams

MOTIONS

Senator Van Valkenburg moved that the President be authorized to dissolve the conference committee on House amendments to SB 33 and that he be authorized to appoint a free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Halligan, Chairman
Senator Towe
Senator McCallum

FIRST READING OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SJR 43, introduced by Towe, Neuman, Halligan, Lybeck, Eck, Hirsch, Mazurek. Referred to Committee on Taxation.

The following House bills were introduced, read first time, and referred to committees:

HB 952, introduced by Iverson, Blaylock. Referred to Committee on Finance and Claims.

HJR 56, introduced by Rehberg, Krueger, Addy, Hannah, Peterson, Sands, Keyser, Mercer, Cobb, Bradley, Spaeth, Hanson, Simon, Nathe, Campbell, Harper, Van Valkenburg, Mazurek, Swift, Glaser, Patterson, Jenkins, Connelly, Ream, Fritz, Schye, Towe. Referred to Committee on Judiciary.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Mazurek in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 295 - That HB 295, third reading copy, be amended as follows:

1. Page 8, lines 5 through 10.
Strike: subsection (d) in its entirety
Renumber: subsequent subsections

Amendment passed as follows:

Ayes: Aklestad, Blaylock, Boylan, Brown, Christiaens, Crippen, Fuller, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, Lane, McCallum, Pinsoneault, Regan, Severson, Shaw, Stephens, Story, Thayer, Van Valkenburg, Williams.
Total 27

Noes: Daniels, Eck, Halligan, Jacobson, Lybeck, Lynch, Mazurek, Neuman, Stimatz, Towe, Weeding, Yellowtail.
Total 12

Excused: Bengtson.
Total 1

Absent or not voting: Anderson, Conover, Farrell, Haffey, Hirsch, Manning, Mohar, Smith, Tveit, Mr. President.
Total 10

That HB 295, as amended, be concurred in. Senator Shaw made a substitute motion that HB 295, as amended, be not concurred in. Substitute motion failed as follows:

Ayes: Aklestad, Galt, Harding, Himsl, Hirsch, Keating, Kolstad, Neuman, Severson, Shaw, Stephens, Tveit.
Total 12

Noes: Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Hammond, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Stimatz, Thayer, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 31

Excused: Bengtson.
Total 1

Absent or not voting: Goodover, Halligan, Smith, Story, Towe, Mr. President.
Total 6

Senator Christiaens moved that HB 295 be placed below HB 374. Motion carried unanimously.

HB 374 - That HB 374 be concurred in. Motion carried as follows:

Ayes: Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Keating, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman,

Regan, Severson, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 33

Noes: Aklestad, Anderson, Boylan, Galt, Goodover, Hammond, Himsl, Kolstad, Lynch, Pinsoneault, Shaw, Smith, Stephens, Story, Tveit.
Total 15

Excused: Bengtson.
Total 1

Absent or not voting: Thayer.
Total 1

HB 295 - That HB 295, as amended, be concurred in. Motion carried as follows:

Ayes: Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Hager, Halligan, Hammond, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Williams, Mr. President.
Total 33

Noes: Aklestad, Goodover, Harding, Himsl, Hirsch, Keating, Kolstad, Neuman, Shaw, Smith, Tveit.
Total 11

Excused: Bengtson.
Total 1

Absent or not voting: Haffey, McCallum, Stephens, Story, Yellowtail.
Total 5

HB 696 - That HB 696 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Bengtson.
Total 1

Absent or not voting: None.
Total 0

HB 870 - Senator Towe moved that HB 870 be moved below HJR 49. Motion carried unanimously.

HB 943 - Senator Van Valkenburg moved that consideration on HB 943 be passed for the day. Motion carried unanimously.

Senator Bengtson present at this time.

HJR 49 - That HJR 49 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 870 - Senator Towe moved that HB 870 be moved to the bottom of the board. Motion carried unanimously.

HJR 54 - That HJR 54 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 182 - That House amendments to SB 182 be concurred in. Motion failed as follows:

Ayes: Aklestad, Anderson, Brown, Crippen, Farrell, Gage, Goodover, Hager, Hammond, Harding, Himsl, Keating, Pinsoneault, Severson, Shaw, Smith, Story, Tveit, Mr. President.
Total 19

Noes: Bengtson, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 23

Excused: None.
Total 0

Absent or not voting: Blaylock, Boylan, Galt, Kolstad, McCallum, Neuman, Stephens, Thayer.
Total 8

Senator Van Valkenburg moved that House amendments to SB 182 be not concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek,

Mohar, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 25

Noes: Aklestad, Blaylock, Brown, Crippen, Farrell, Gage, Goodover, Hager, Hammond, Harding, Himsl, Keating, McCallum, Neuman, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 20

Excused: None.
Total 0

Absent or not voting: Boylan, Galt, Hirsch, Kolstad, Severson.
Total 5

SB 28 - That the Governor's amendments to SB 28 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 236 - That the free conference committee report on SB 236 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 870 - That HB 870, third reading copy, be amended as follows:

1. Title, line 8.
Following: "~~FEE;~~"
Insert: "PROVIDING A REFERENDUM FOR A DETERMINATION WHETHER THE BLOCK GRANT PROGRAM WILL CONTINUE TO BE FUNDED BY THE INCREASED LIGHT

VEHICLE LICENSE FEES OR BY AN INCREASE IN THE OIL AND GAS SEVERANCE TAX;"

2. Title, line 9.
Following: "SECTIONS"
Insert: "15-36-101"

3. Title, line 11.
Following: "DATE,"
Strike: "AND"
Following: "TERMINATION DATE"
Insert: "AND A CONTINGENT EFFECTIVE DATE"

4. Page 6.
Following: line 2
Insert: "Section 4. Section 15-36-101, MCA, is amended to read:

"**15-36-101. Definitions and rate of tax.** (1) Every person engaging in or carrying on the business of producing petroleum, other mineral or crude oil, or natural gas within this state or engaging in or carrying on the business of owning, controlling, managing, leasing, or operating within this state any well or wells from which any merchantable or marketable petroleum, other mineral or crude oil, or natural gas is extracted or produced sufficient in quantity to justify the marketing of the same must, except as provided in 15-36-121, each year when engaged in or carrying on any such business in this state pay to the department of revenue for the exclusive use and benefit of the state of Montana a severance tax computed at the following rates:

(a) 5% of the total gross value of all the petroleum and other mineral or crude oil produced by such person from each lease or unit on or after April 1, 1981, and on or before March 31, ~~1983~~ 1985; 6% of the total gross value of all the petroleum and other mineral or crude oil produced by such person from each lease or unit on or after April 1, ~~1983,~~ 1987 ~~and on or before March 31, 1985; and 5% of the total gross value of all the petroleum and other mineral or crude oil produced by such person from each lease or unit thereafter~~; but in determining the amount of such tax there shall be excluded from consideration all petroleum or other crude or mineral oil produced and used by such person during such year in connection with his operations in prospecting for, developing, and producing such petroleum or crude or mineral oil;

(b) 2.65% of the total gross value of natural gas produced from each lease or unit; but in determining the amount of such tax there shall be excluded from consideration all gas produced and used by such person during such year in connection with his operations in prospecting for, developing, and producing such gas or petroleum or crude or mineral oil; and there shall also be excluded from consideration all gas recycled or reinjected into the ground.

(2) Nothing in this part may be construed as requiring laborers or employees hired or employed by any person to drill any oil well or to work in or about any oil well or prospect or explore for or do any work for the purpose of developing any petroleum or other mineral or crude oil to pay such severance tax, nor may any work done or the drilling of any well or wells for the purpose of prospecting or exploring for petroleum or other mineral or crude oils or for the purpose of developing same be considered to be the engaging in or carrying on of any such business. If, in the doing

of any such work, in the drilling of any oil well, or in such prospecting, exploring, or development work, any merchantable or marketable petroleum or other mineral or crude oil in excess of the quantity required by such person for carrying on such operation is produced sufficient in quantity to justify the marketing of the same, such work, drilling, prospecting, exploring, or development work is considered to be the engaging in and carrying on of such business within this state within the meaning of this section.

(3) Every person required to pay such tax hereunder shall pay the same in full for his own account and for the account of each of the other owner or owners of the gross proceeds in value or in kind of all the marketable petroleum or other mineral or crude oil or natural gas extracted and produced, including owner or owners of working interest, royalty interest, overriding royalty interest, carried working interest, net proceeds interest, production payments, and all other interest or interests owned or carved out of the total gross proceeds in value or in kind of such extracted marketable petroleum or other mineral or crude oil or natural gas, except that any of the aforesaid interests that are owned by the federal, state, county, or municipal governments shall be exempt from taxation under this chapter. Unless otherwise provided in a contract or lease, the pro rata share of any royalty owner or owners will be deducted from any settlements under said lease or leases or division of proceeds orders or other contracts."

NEW SECTION. Section 5. Submission to electorate. The question of whether sections 1 through 3 will be extended beyond July 1, 1987, or instead section 4 will be made effective on July 1, 1987, as the source of funding a portion of the local government block grant program shall be submitted to the electors of the state of Montana at the general election to be held in November 1986, by printing on the ballot the following:

"AN ACT . . . PROVIDING A REFERENDUM FOR A DETERMINATION WHETHER THE BLOCK GRANT PROGRAM WILL CONTINUE TO BE FUNDED BY THE INCREASED LIGHT VEHICLE LICENSE FEES OR BY AN INCREASE IN THE OIL AND GAS SEVERANCE TAX. . ."

[ ] For funding the local government block grant program in the manner used before 1985, by an increase in the oil and gas severance tax.

[ ] For funding the local government block grant program in the manner used after 1985, by continuing the increase in the light vehicle license fees."

Renumber: subsequent sections

5. Page 6, line 4.
Following: "TERMINATION"
Insert: "— CONTINGENT EFFECTIVE DATE"
Following: "(1)"
Strike: "This act is"
Insert: "Sections 1 through 3 are"

6. Page 6, line 5.
Following: "and"
Strike: "applies"
Insert: "apply"

7. Page 6, line 7.
Following: "(2)"
Strike: "THIS ACT TERMINATES"
Insert: "Sections 1 through 3 terminate"

8. Page 6.
Following: line 7
Insert: "(3) Section 4 is effective July 1, 1987, if approved by the electorate under section 5."

Senator Towe withdrew the amendment.

That HB 870 be concurred in. Motion carried as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Crippen, Daniels, Eck, Fuller, Haffey, Hager, Halligan, Himsl, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 30

Noes: Aklestad, Anderson, Boylan, Conover, Gage, Galt, Goodover, Hammond, Harding, Hirsch, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Stimatz, Tveit.
Total 18

Excused: None.
Total 0

Absent or not voting: Farrell, Story.
Total 2

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Mazurek moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senators Farrell and Galt excused at this time.

HB 44, conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Farrell, Galt.
Total 2

Absent or not voting: None.
Total 0

Senator Farrell present at this time.

HB 608, conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Galt.
Total 1

Absent or not voting: None.
Total 0

Senator Galt present at this time.

HB 127, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 286, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 585, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 737, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 236, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (Haffey, Chairman): 4/18/85

HB 945, be concurred in. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
HB 945

A statement of intent is required for this act because under the provisions of the act the state lottery commission must establish and operate a state lottery and adopt policies and rules regarding but not limited to:

(1) the operations of the lottery director and his staff;
(2) the price, number, and size of tickets or chances;
(3) the drawing of lottery winners;
(4) lottery tickets or chance sales and tickets or chance sales agents;
(5) the immediate payment of small prizes;
(6) lottery security;
(7) purchase or rental of gaming equipment and supplies; and
(8) other matters relating to the successful operation of the lottery.

A state lottery is primarily a business operation and has as a purpose the earning of net revenue. The successful operation of a state lottery, as shown by the experience of other state lotteries, depends to a large degree upon the flexibility to operate the lottery as a business enterprise. The success of a lottery also depends upon the operation of the lottery within a statutory framework ensuring the integrity of the staff and all phases of the operation of the lottery and the avoidance of even the appearance of any illegalities or conflicts of interests.

To these ends, it is contemplated that the state lottery commission will be composed of persons conversant with the types of administrative rules necessary to the successful operation of the lottery and will adopt rules ensuring the integrity and success of the lottery.

In accord with the theory that a lottery is primarily a business, it is contemplated that the rules will change or allow changes in the operation of the lottery consistent with statutes as new business techniques and ideas, new games and prizes, better outlets for ticket sales, and better management techniques are discovered.

Any definitions contained in this act pertain only to the state lottery. It is the intent of the legislature that the state lottery commission operate a state lottery only, and it is not intended that the commission shall be involved in any way in other forms of gambling.

REPORTS OF SELECT COMMITTEES

Conference Committee
on House Bill No. 885
Report No. 1, April 18, 1985

Mr. President:

We, your Conference Committee on House Bill No. 885 met and considered:

Senate Local Government report of March 29, 1985.

Fuller amendments of April 1, 1985.

We recommend as follows:

That House Bill No. 885, reference copy, be amended as follows:

1. Page 24, lines 19 and 20.
Strike: "AFTER ONE-THIRD OF THE TERM FOR WHICH THEY WERE ISSUED HAS EXPIRED"

2. Page 61, lines 10 and 11.
Strike: "AFTER ONE-THIRD OF THE TERM FOR WHICH THEY WERE ISSUED HAS EXPIRED"

And that this Conference Committee report be adopted.

For the Senate:	For the House:
Fuller, Chairman	Addy
Mohar	Kadas
Crippen	Rehberg
	Sales

Free Conference Committee
on House Bill No. 3
Report No. 1, April 18, 1985

Mr. President:

We, your Free Conference Committee on House Bill No. 3 met and considered:

House Bill No. 3.

We recommend as follows:

That House Bill No. 3, reference copy, be amended as follows:

1. Title, line 7.
Following: "~~$30~~"
Insert: "UP TO $14"

2. Page 2, lines 1 through 8.
Strike: "BE" on line 1 through "CHARGE." on line 8
Insert: "the landowner of not more than 17 cents per acre per year except that the department shall make a minimum assessment of up to $14 per owner per year in each protection district as necessary to yield the amount of money provided for in 76-13-207."

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Haffey, Chairman	Marks
McCallum	
Boylan	Keyser
	Waldron

Free Conference Committee
on House Bill No. 900
Report No. 1, April 16, 1985

Mr. President:

We, your Free Conference Committee on House Bill No. 900 met and considered:

Senate Amendments to House Bill No. 900.

We recommend as follows:

That House Bill No. 900, reference copy, be amended as follows:

1. Page 3, lines 23 and 24.
Strike: "OR HAS COMPLETED A BASIC PEACE OFFICER'S COURSE IN ANOTHER STATE"

2. Page 3, line 25.
Strike: "36 MONTHS OR"

3. Page 4, line 1.
Following: "~~months~~"
Insert: "than 36 months"

4. Page 4, line 8.
Following: "~~(5)(c).~~"
Insert: "If such peace officer's last date of employment as a peace officer was 36 or more but less than 60 months prior to the date of his present employment as a peace officer, he may satisfy his basic educational requirements as set forth in subsection (5)(c)."

5. Page 4, line 10.
Following: "~~officer~~"
Insert: "under the provisions of subsection (5)(b) or a peace officer"

6. Page 4, lines 10 and 11.
Strike: "BEEN ISSUED A BASIC CERTIFICATE BY THE BOARD OF CRIME CONTROL OR HAS"

7. Page 4, line 14.
Strike: "MONTHS BUT MORE THAN 36"

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Fuller, Chairman	Fritz
Hirsch	Hart
Story	Sales
	Sands

Senator Van Valkenburg moved that the Senate adjourn until 1:30 p.m., April 19, 1985.

Motion carried.

Senate adjourned at 6:01 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

EIGHTY-FIFTH LEGISLATIVE DAY

Helena, Montana
April 19, 1985

Senate Chambers
State Capitol

Senate convened at 1:35 p.m., President Norman presiding. Invocation by the Chaplain, Pastor Monsen. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the eighty-fourth legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 4/18/85
Examined by the sponsor (Halligan) and found to be correct: SB 66.
Examined by the sponsor (Jacobson) and found to be correct: SB 77.
Examined by the sponsor (Christiaens) and found to be correct: SB 79.
Examined by the sponsor (Christiaens) and found to be correct: SB 93.
Examined by the sponsor (Goodover) and found to be correct: SB 165.
Examined by the sponsor (Jacobson) and found to be correct: SB 319.
Examined by the sponsor (Weeding) and found to be correct: SB 379.
Examined by the sponsor (Thayer) and found to be correct: SB 416.
Examined by the sponsor (Christiaens) and found to be correct: SJR 31.
Signed by the President at 3:00 p.m., 4/18/85: HB 203, HB 582, HB 652, HB 676, HB 766, HB 779, HB 815.
Correctly printed and placed on the members' desks: SJR 38. 4/19/85
Correctly enrolled: SB 66, SB 77, SB 79, SB 93, SB 165, SB 319, SB 379, SB 416, SJR 31.

Report adopted.

FINANCE AND CLAIMS (Regan, Chairman): 4/18/85
HB 270, be concurred in. Report adopted.
HB 632, be concurred in. Report adopted.
HB 633, be concurred in. Report adopted.
HB 812, be concurred in. Report adopted.
HB 909, be concurred in. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
HB 909

A statement of intent is required for this bill because it directs the department of natural resources and conservation to adopt rules for repayment of grants and awarding of grants to state governmental units. In adopting rules, the department should develop selection criteria that include, at a minimum, payback criteria for investments to pay for themselves through energy savings. The department should consult with the department of administration when developing rules for awarding grants to state governmental units.

HB 942, third reading copy, be amended as follows:

1. Title, lines 5 and 6.
Strike: "DELETE" on line 5 through "TO" on line 6
Insert: "REQUIRE BIENNIAL APPROPRIATIONS FROM"

2. Title, line 7.
Strike: "AT FISCAL YEAREND"
Insert: "TO IMPLEMENT CERTAIN HAZARDOUS WASTE LAWS"

3. Page 2, line 17.
Following: "~~biennium.~~"
Insert: "The allocation in this subsection must be appropriated for each full biennium as necessary to obtain matching federal funds for the biennium."

And, as amended, be concurred in. Report adopted.

HB 949, be concurred in. Report adopted.

JUDICIARY (Mazurek, Chairman): 4/19/85
HJR 44, be concurred in. Report adopted.
HJR 45, be concurred in. Report adopted.
HJR 55, be concurred in. Report adopted.
HJR 56, be concurred in. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 4/19/85
HB 473, third reading copy, be amended as follows:

1. Page 3, line 25.
Following: "government;"
Strike: "or"

2. Page 4, line 2.
Following: "contractor"
Strike: "."
Insert: "; or"

3. Page 4.
Following: line 2
Insert: "(f) a position held by a student under the Montana work-study program provided for in Title 20, chapter 25, part 7, or under a student employment program administered by the Montana university system or a community college."

And, as amended, be concurred in. Report adopted.

HJR 41, be concurred in. Report adopted.
HJR 48, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill No. 142
Report No. 1, April 18, 1985

Mr. President:

We, your Free Conference Committee on Senate Bill No. 142 met and considered:

Senate Bill No. 142.

We recommend as follows:

That Senate Bill No. 142, reference copy, be amended as follows:

1. Page 2, line 2.
Following: "~~$5~~"
Strike: "$3"

Insert: "the fee for district courts"

2. Page 2, line 20.
Strike: "$73"
Insert: "$77"
Strike: "$93"
Insert: "$97"

3. Page 2, line 22.
Strike: "43"
Insert: "45"
Strike: "53"
Insert: "55"

4. Page 2, line 23.
Strike: "13"
Insert: "12.50"
Strike: "18"
Insert: "17.50"

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Halligan, Chairman	Raney
Towe	
Severson	Williams

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 18, 1985

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 89, 331, 371, 375, and 438 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 19, 1985

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Vincent:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return Senate Bill No. 268, "AN ACT REVISING THE CRITERIA FOR DETENTION OF YOUTHS; PROVIDING THAT A DETAINED YOUTH MUST HAVE ALLEGEDLY COMMITTED AN ACT WHICH IF COMMITTED BY AN ADULT WOULD CONSTITUTE A CRIME; AMENDING SECTION

41-5-305, MCA," without my signature and recommend the attached amendment for the following reasons.

Senate Bill No. 268 provides that a youth taken into custody may be detained if he allegedly committed an act which, if he were an adult, would be one of the criminal offenses listed in section 1 of the bill.

One of the criminal offenses listed in section 1 is "aggravated assault as defined in 45-5-202." This creates a problem because Senate Bill No. 132, already passed and approved, has divided the crime of aggravated assault into "aggravated assault" and "felony assault." Included in felony assault are assault with a weapon and assault on a peace officer.

Clearly, the Legislature, in adopting Senate Bill No. 268, intended to include assault with a weapon and assault on a peace officer in the list of crimes for which a youth may be detained. My amendment implements that intent by providing that a youth may be detained if he is alleged to have committed an act that, if he were an adult, would constitute felony assault.

I urge your concurrence in this amendment.

Governor's Proposed Amendments
to SB 268

1. Page 2, line 6.
Following: "AGGRAVATED"
Insert: "or felony"

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bills concurred in and returned to the Senate: 4/18/85

SB 178, introduced by Kolstad

SJR 37, introduced by Hager

House bills passed and transmitted to the Senate for concurrence: 4/19/85

HB 792, introduced by Garcia, et al.

HJR 41, introduced by Wallin, et al.

HJR 57, introduced by Holliday, et al.

Conference committee reports adopted: 4/18/85

HB 44, conference committee report

HB 608, conference committee report

Free conference committee reports adopted: 4/18/85

HB 127, free conference committee report

HB 286, free conference committee report

HB 585, free conference committee report

HB 737, free conference committee report

SB 236, free conference committee report

Senator Van Valkenburg moved that the Senate recess, subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 1:47 p.m.

Senate reconvened at 2:00 p.m.

MOTIONS

Senator Haffey moved that HB 211, on second reading this legislative day, be taken from second reading and that it be placed on third reading this legislative day. Motion carried unanimously.

Senator Van Valkenburg moved that the Senate accede to the request of the House of Representatives and appoint a conference committee to confer on House amendments to SB 449. Motion carried unanimously.

The President appointed the following members:

Senator Regan, Chairman
Senator Mazurek
Senator Galt

Senator Farrell moved that the Senate reconsider its action in failing to concur in House amendments to SB 182 on second reading on the 84th legislative day. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Crippen, Farrell, Fuller, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lybeck, McCallum, Mohar, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Van Valkenburg, Williams, Mr. President.
Total 33

Noes: Christiaens, Conover, Daniels, Eck, Haffey, Halligan, Jacobson, Lane, Lynch, Manning, Mazurek, Regan, Stimatz, Towe, Weeding, Yellowtail.
Total 16

Excused: None.
Total 0

Absent or not voting: Neuman.
Total 1

Senator Farrell moved that House amendments to SB 182 be placed on second reading on the 87th legislative day. Motion carried unanimously.

Senator Crippen moved that the rules be temporarily suspended for the purpose of accepting HB 792. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Harding, Jacobson, Keating, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 36

Noes: Aklestad, Christiaens, Galt, Goodover, Hammond, Himsl, Hirsch, Kolstad, Lynch, McCallum, Shaw, Smith, Thayer, Tveit.
Total 14

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Towe moved that the President be authorized to dissolve the conference committee on House amendments to SB 119 and that he be authorized to appoint a free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Towe, Chairman
Senator Brown
Senator Eck

Senator Jacobson moved that the President be authorized to dissolve the conference committee on Senate amendments to HB 686 and that he be authorized to appoint a free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Jacobson, Chairman
Senator Stephens
Senator Lynch

Senator Mohar moved that the President be authorized to dissolve the conference committee on Senate amendments to HB 775 and that he be authorized to appoint a free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Mohar, Chairman
Senator Conover
Senator Harding

FIRST READING OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HJR 41, introduced by Wallin, Norman, Stephens, Marks, Vincent. Referred to Committee on State Administration.

HJR 57, introduced by Holliday, Schye, Schultz, Kolstad, Nathe, Cody, Pinsoneault, Asay, Bergene, Patterson, Garcia, Connelly, Lybeck, Rehberg, McCormick, Nisbet, Poff, Abrams, Rapp-Svrcek, Bardanouve, Miller, Keenan, Kitselman, Glaser, Krueger, D. Brown, Manuel, Driscoll, Miles, Hart, Keller, Koehnke, Pistoria, J. Brown, Grady, Spaeth, Campbell, O'Connell, Christiaens, Howe, Bradley, Devlin, Manning, Montayne, Vincent, Kadas, Cobb, Simon, Waldron, J. Hammond, Ream, M. Williams, Neuman, Iverson, Goodover, Hanson, Hand, Pavlovich, Hirsch, B. Williams, Halligan, Bengtson, Weeding, Van Valkenburg, Eck, Regan, Daniels, E. Smith, Aklestad, Stephens, Galt, H. Hammond, Thayer, B. Brown, Fuller, Severson, Bachini, Phillips, Ernst, Jenkins, Boylan, Blaylock, Crippen, Yellowtail, Lane, Mazurek, Conover, Towe, Stimatz, Jacobson, McCallum, Tveit, Harding, Gage, Farrell, Hager. Referred to Committee on Agriculture, Livestock and Irrigation.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 45 concurred in as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Stephens, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 35

Noes: Aklestad, Anderson, Boylan, Galt, Goodover, Hammond, Keating, Kolstad, Lynch, Severson, Shaw, Smith, Story, Thayer, Tveit.
Total 15

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 295 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Hammond, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Galt, Goodover, Harding, Himsl, Hirsch, Shaw.
Total 6

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 374 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Eck, Fuller, Gage, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Keating, Lane, Lynch, Mazurek, Mohar, Neuman, Regan, Severson, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 31

Noes: Aklestad, Boylan, Crippen, Daniels, Farrell, Galt, Goodover, Hammond, Himsl, Kolstad, Lybeck, Manning, McCallum, Pinsoneault, Shaw, Smith, Stephens, Story, Tveit.
Total 19

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Towe requested that the Chair rule as to whether HB 607 would require a three-fourths vote in order to be concurred in. The Chair ruled that HB 607 did not require a three-fourths vote.

HB 607 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Tveit, Weeding, Williams.
Total 37

Noes: Blaylock, Brown, Christiaens, Eck, Halligan, Lybeck, Manning, Regan, Story, Towe, Van Valkenburg, Yellowtail, Mr. President.
Total 13

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 696 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 870 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Haffey, Hager, Halligan, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Stephens, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 34

Noes: Aklestad, Boylan, Conover, Gage, Galt, Goodover, Hammond, Harding, Himsl, Kolstad, Severson, Shaw, Smith, Stimatz, Story, Tveit.
Total 16

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 49 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith,

Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Shaw.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 54 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Goodover, Shaw, Story.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 28, Governor's amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 211 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Brown in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 885 - That the conference committee report on Senate amendments to HB 885 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 54 - That the free conference committee report on SB 54 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 3 - That the free conference committee report on HB 3 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Regan.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 146 - That the free conference committee report on HB 146 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 554 - Senator Christiaens moved that the free conference committee report on HB 554 be placed below the free conference committee report on HB 707. Motion carried unanimously.

HB 707 - That the free conference committee report on HB 707 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 554 - That the free conference committee report on HB 554 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 900 - That the free conference committee report on HB 900 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 38 - That SJR 38 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Manning.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 206 - That HB 206, reference bill, be amended as follows:

1. Page 3, line 19.
Following: "Montana"
Strike: "5,767"
Insert: "8,767"

2. Page 3, line 22.
Strike: "5,767"
Insert: "8,767"

3. Page 6, line 10.
Strike: "$7,571,613"
Insert: "$7,574,613"

4. Page 6, line 16.
Strike: "$1,067,819"
Insert: "$1,070,819"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 206, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 212 - Senator Van Valkenburg moved that consideration on HB 212 be passed until the 87th legislative day. Motion carried unanimously.

HB 344 - That HB 344 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 381 - That HB 381 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 430 - That HB 430, third reading copy, be amended as follows:

1. Page 2, lines 11 and 12.
Following: "CORPORATION"
Strike: "AND THE STATE GROUP HEALTH SELF-INSURANCE PLAN, UNDER TITLE 2, CHAPTER 18, PART 8,"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Brown, Conover, Crippen, Daniels, Farrell, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Kolstad, Lane, Lynch, McCallum, Neuman, Pinsoneault, Severson, Stephens, Story, Thayer, Tveit, Williams, Mr. President.
Total 28

Noes: Blaylock, Boylan, Christiaens, Eck, Fuller, Hager, Himsl, Hirsch, Jacobson, Keating, Lybeck, Manning, Mazurek, Mohar, Regan, Shaw, Stimatz, Towe, Van Valkenburg, Weeding, Yellowtail.
Total 21

Excused: None.
Total 0

Absent or not voting: Smith.
Total 1

That HB 430, third reading copy, be further amended as follows:

1. Title, line 8.
Following: "OF"
Strike: "50 CENTS"
Insert: "$1"

2. Page 2, line 10.
Following: "EVERY"
Strike: "PRIVATE HEALTH DISABILITY INSURER AND"

3. Page 2, line 13.
Following: "OF"
Strike: "50 CENTS"
Insert: "$1"

Amendment failed as follows:

Ayes: Aklestad, Blaylock, Conover, Crippen, Daniels, Farrell, Halligan, Harding, Himsl, Hirsch, Kolstad, Lynch, McCallum, Mohar, Neuman, Pinsoneault, Smith, Stephens, Thayer, Williams, Mr. President.
Total 21

Noes: Anderson, Boylan, Brown, Christiaens, Eck, Fuller, Gage, Galt, Goodover, Hager, Hammond, Jacobson, Keating, Lane, Lybeck, Manning, Mazurek, Regan, Shaw, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail.
Total 26

Excused: None.
Total 0

Absent or not voting: Bengtson, Haffey, Severson.
Total 3

That HB 430, as amended, be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, Mohar, Regan, Severson, Shaw, Smith, Stephens, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 39

Noes: Aklestad, Crippen, Farrell, Lynch, McCallum, Neuman, Pinsoneault, Stimatz, Story, Thayer, Mr. President.
Total 11

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 701 - That HB 701 be concurred in. Motion carried as follows:

Ayes: Blaylock, Boylan, Brown, Conover, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Severson, Shaw, Stimatz, Story, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 26

Noes: Aklestad, Anderson, Bengtson, Crippen, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, McCallum, Mohar, Neuman, Pinsoneault, Regan, Smith, Stephens, Thayer, Tveit.
Total 21

Excused: None.
Total 0

Absent or not voting: Christiaens, Halligan, Williams.
Total 3

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Brown moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

FINANCE AND CLAIMS (Regan, Chairman): 4/19/85

HB 12, third reading copy, be amended as follows:

1. Title, line 8.
Following: "2-9-202,"
Insert: "2-17-105,"

2. Title, line 13.
Following: "20-8-111,"
Insert: "53-24-206,"

3. Page 2.
Following: line 19
Insert: "(b) 2-17-105;"
Renumber: subsequent subsections

4. Page 3.
Following: line 7
Insert: "(o) 17-5-404;"
Renumber: subsequent subsections

5. Page 3, line 8.
Strike: "17-5-894"
Insert: "17-5-804"

6. Page 3.
Following: line 21
Insert: "(dd) 53-24-206;"
Renumber: subsequent subsections

7. Page 5.
Following: line 15
Insert: "Section 4. Section 2-17-105, MCA, is amended to read:

"2-17-105. Insurance on state buildings — use of proceeds — building replacement. (1) Moneys received by the state as indemnification for damage to state buildings, except buildings procured by the department of highways by purchase or condemnation for right-of-way purposes, shall be deposited in the state special revenue fund.

(2) These moneys <u>are statutorily appropriated as provided in [section 2] and</u> may only be:

(a) used to repair the damaged property;

(b) used to replace the damaged property, subject to the limitations in subsection (3) of this section; or

(c) transferred to the fund and account from which the premiums were paid on the policy covering the building. Moneys transferred in this manner may not be spent by the institution or agency having custody of the damaged property but shall be available for future legislative appropriation. If the moneys are not spent or committed within 2 years from the time they are received, they shall automatically revert to the fund and account from which the premiums were paid.

(3) If an insured building is totally destroyed or so badly damaged that repair is impractical, the governing board or officer responsible for the building may authorize any moneys received by the state as indemnification for property damage to be used to replace the building only if the proposed replacement is designed to be used for the same general purposes as the damaged or destroyed building, and for this purpose the amounts available therefor are statutorily appropriated as provided in [section 2]. If the governing board or officer determines that the building should not be replaced, any moneys received by the state as indemnification for property damage over and above any outstanding debt on the building shall be transferred as provided in subsection (2)(c) of this section.""

Renumber: subsequent sections

8. Page 38.
Following: line 21
Insert: "Section 32. Section 53-24-206, MCA, is amended to read:

"53-24-206. Administration of financial assistance. (1) The department may apply for and receive grants, allotments, or allocations of funds or other assistance for purposes pertaining to the problems of chemical dependency or related social problems under laws and rules of the United States, any other state, or any private organization.

(2) The department may cooperate with any other government agency or private organization in programs on chemical dependency or related social problems. In carrying out cooperative programs, the department may make grants of financial assistance to government agencies and private organizations under terms and conditions agreed upon.

(3) (a) In administering proceeds derived from the liquor license tax or the beer license tax, the department shall distribute those funds appropriated by the legislature. Money that is appropriated for distribution to approved private nonprofit or public programs on a discretionary basis shall be distributed to those programs that can demonstrate that:

(i) the program is achieving the goals and objectives mutually agreed upon by the program and the department; and

(ii) the receipt of additional funds would be justified.

(b) The remainder of the proceeds shall be distributed to the counties for use by approved private nonprofit or public programs. The distribution of these proceeds is statutorily appropriated as provided in [section 2] and must be distributed in the following manner:

(i) Eighty-five percent shall be allocated according to the proportion of each county's population to the state's population according to the most recent United States census.

(ii) Fifteen percent shall be allocated according to the proportion of the county's land area to the state's land area.

(c) Money distributed under subsection (3) may only be used for purposes pertaining to the problems of alcoholism.""
Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

HB 224, be concurred in. Report adopted.
HB 861, third reading copy, be amended as follows:

1. Page 4, line 21.
Following: "~~$5,450,000~~"
Strike: "$7,150,000,"
Insert: "$5,450,000 for the projects described in [section 5] [and $1,700,000 for purposes described in House Bill No. 224]"

2. Page 6, line 20.
Following: "COORDINATION."
Insert: "(1)"

3. Page 6.
Following: line 25
Insert: "(2) If House Bill No. 224 is not passed and approved, the bracketed language contained in section 8 of this act, except the reference to [section 5], is void."

And, as amended, be concurred in. Report adopted.

HB 928, third reading copy, be amended as follows:

1. Page 3, line 2.
Insert: "168,877 Federal" in "Other Appropriated Funds" column

2. Page 8.
Following: line 12
Insert: "MONTANA UNIVERSITY SYSTEM
Classroom Renovation, U M 98,000"

3. Page 11, line 19.
Strike: "Lake County"
Insert: "proximity of and with access to or on the shore of Flathead Lake"

4. Page 11, line 21.
Strike: "in Lake County"

And, as amended, be concurred in. Report adopted.

HB 935, third reading copy, be amended as follows:

1. Title, line 4.
Following: "MONEY FOR"
Insert: "RESIDENTIAL"

2. Title, lines 5 and 6.
Following: "ABUSE" on line 5
Strike: "PROGRAMS" through "BONDS" on line 6
Insert: "TREATMENT FOR INDIGENT YOUTH"

3. Page 1, lines 10 through 16.
Strike: ":" on line 10 through "(2)" on line 16

4. Page 1, line 19.
Strike: "$250,000"
Insert: "$225,000"

5. Page 1, line 20.
Strike: "250,000"
Insert: "225,000"

6. Page 1, line 21 through page 2, line 1.
Strike: subsection (3) in its entirety

And, as amended, be concurred in. Report adopted.

HB 938, third reading copy, be amended as follows:

1. Page 8.
Following: line 23
Insert: "Powell County Museum and Arts Foundation 32,000"

And, as amended, be concurred in. Report adopted.

Committee adopted the following statement of intent:

Statement of Intent
HB 938

A statement of intent is required for this bill because section 22-2-303, MCA, is amended to include rulemaking by the Montana arts council to implement sections 1 and 2 of the bill.

The rules should address specific criteria that the Montana arts council intends to employ in determining whether local support is being given to public and private facilities and, if so, how much support is involved.

The rules must also address the requirements for matching funds, for both capital grants and challenge grants. Involved in these rules should be a method for an applicant to determine what constitutes donated goods and services, and what time periods for the receipt of gifts are involved to qualify for matching funds.

The rules should address the incremental disbursements of grants. Grantees must be able to conform their cash flow upon reliance of receipt of regular grant disbursements, and to this end the Montana arts council should in the rules provide explanations of proper allowable costs and proper unexpended prior grant balances it will examine prior to making further disbursements.

HB 952, be concurred in. Report adopted.

MOTIONS

Senator Van Valkenburg moved that the Senate recess, subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 4:35 p.m.

Senate reconvened at 5:17 p.m.

In accordance with the motion made and carried on April 17, 1985, the President appointed the following members to the free conference committee on SB 390:

Senator Mazurek, Chairman
Senator Lybeck

Senator Gage

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Brown in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 754, HB 901, HB 932, HB 943 - Senator Van Valkenburg moved that HB 754, HB 901, HB 932, and HB 943 be moved to the bottom of the board. Motion carried unanimously.

HB 945 - That HB 945 be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Boylan, Christiaens, Conover, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Hirsch, Jacobson, Kolstad, Lane, Lynch, Manning, McCallum, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 36

Noes: Aklestad, Blaylock, Brown, Crippen, Eck, Hager, Harding, Himsl, Keating, Lybeck, Mazurek, Mohar, Regan, Yellowtail.
Total 14

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Goodover excused at this time.

HJR 51 - That HJR 51 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Goodover.
Total 1

Absent or not voting: None.
Total 0

HB 812 - That HB 812 be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Stimatz, Thayer, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.

Total 38

Noes: Aklestad, Galt, Hammond, Shaw, Tveit.
Total 5

Excused: Goodover.
Total 1

Absent or not voting: Daniels, Hirsch, Smith, Stephens, Story, Weeding.
Total 6

HB 935 - That HB 935 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Shaw.
Total 1

Excused: Goodover.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Brown moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 885, conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Goodover.
Total 1

Absent or not voting: None.
Total 0

SB 54, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Goodover.
Total 1

Absent or not voting: None.
Total 0

HB 3, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Goodover.
Total 1

Absent or not voting: None.
Total 0

HB 146, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Shaw.
Total 1

Excused: Goodover.
Total 1

Absent or not voting: None.
Total 0

HB 707, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens,

Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Goodover.
Total 1

Absent or not voting: None.
Total 0

Senator Himsl excused at this time.

HB 554, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Crippen, Shaw.
Total 2

Excused: Goodover, Himsl.
Total 2

Absent or not voting: None.
Total 0

Senator Himsl present at this time.

HB 900, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Goodover.
Total 1

Absent or not voting: None.
Total 0

SJR 38 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 43

Noes: Blaylock, Crippen, Himsl, Manning, Mohar, Thayer.
Total 6

Excused: Goodover.
Total 1

Absent or not voting: None.
Total 0

HB 206 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Aklestad, Shaw.
Total 2

Excused: Goodover.
Total 1

Absent or not voting: None.
Total 0

HB 344 concurred in as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Pinsoneault, Severson, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 41

Noes: Bengtson, Himsl, Keating, Mohar, Neuman, Regan, Shaw, Story.
Total 8

Excused: Goodover.
Total 1

Absent or not voting: None.
Total 0

HB 381 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Goodover.

Total 1

Absent or not voting: None.
Total 0

HB 430 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Aklestad, Farrell, Himsl, McCallum, Story, Thayer.
Total 6

Excused: Goodover.
Total 1

Absent or not voting: None.
Total 0

Senators Daniels, Weeding, and Mr. President excused at this time.

HB 701 concurred in as follows:

Ayes: Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Eck, Farrell, Fuller, Gage, Haffey, Halligan, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Severson, Shaw, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail.
Total 25

Noes: Aklestad, Bengtson, Crippen, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, McCallum, Mohar, Neuman, Pinsoneault, Regan, Smith, Stephens, Story, Thayer, Tveit.
Total 22

Paired: Towe, Aye; Goodover, No.

Excused: Daniels, Weeding, Mr. President.
Total 3

Absent or not voting: None.
Total 0

Senators Daniels, Weeding, and Mr. President present at this time.

HB 945 concurred in as follows:

Ayes: Anderson, Bengtson, Boylan, Christiaens, Conover, Daniels, Farrell, Fuller, Gage, Galt, Haffey, Halligan, Hammond, Hirsch, Jacobson, Kolstad, Lane, Lynch, Manning, McCallum, Neuman, Pinsoneault, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 34

Noes: Aklestad, Blaylock, Brown, Crippen, Eck, Hager, Harding, Himsl, Keating, Lybeck, Mazurek, Mohar, Regan, Shaw, Yellowtail.
Total 15

Excused: Goodover.
Total 1

Absent or not voting: None.
Total 0

Senator Blaylock excused at this time.

HJR 51 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Blaylock, Goodover.
Total 2

Absent or not voting: None.
Total 0

Senator Blaylock present at this time.

HB 812 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 41

Noes: Aklestad, Galt, Hammond, Kolstad, Shaw, Smith, Stephens, Story.
Total 8

Excused: Goodover.
Total 1

Absent or not voting: None.
Total 0

HB 935 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Aklestad, Galt, Hammond, Shaw, Story.
Total 5

Excused: Goodover.
Total 1

Absent or not voting: None.
Total 0

At the request of Senator Mohar, and without objection, Senator Mohar's vote on SJR 38 be recorded as no.

At the request of Senator Blaylock, and without objection, Senator Blaylock's vote on SJR 38 be recorded as no.

At the request of Senator Blaylock, and without objection, Senator Blaylock's vote on HB 945 be recorded as no.

At the request of Senator Keating, and without objection, Senator Keating's vote on HB 344 be recorded as no.

At the request of Senator Keating, and without objection, Senator Keating's vote on HJR 51 be recorded as yes.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Resolutions honoring deceased Senators and the program from the Memorial Service held on Sunday, April 14, 1985, be printed and placed in the Journal for the 81st legislative day. Motion carried unanimously.

Senator Van Valkenburg moved that the rules be temporarily suspended for the purpose of drafting and introducing a joint resolution. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Aklestad, Kolstad, Shaw, Tveit.
Total 4

Excused: Goodover.
Total 1

Absent or not voting: Daniels.
Total 1

Senator Van Valkenburg moved that the Senate adjourn until 9:00 a.m., April 20, 1985.

Motion carried.

Senate adjourned at 6:05 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

EIGHTY-SIXTH LEGISLATIVE DAY

Helena, Montana
April 20, 1985

Senate Chambers
State Capitol

Senate convened at 9:00 a.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 4/19/85
Correctly enrolled: SB 400.
Examined by the sponsor (Yellowtail) and found to be correct: SB 400.
Signed by the President at 2:30 p.m., 4/19/85: SB 400.

Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 4/20/85
Recommend that at the close of business April 20, 1985, the following employment be terminated:

Rachelle LaGree.....Page
Melanie Engen.....Page
Kris Warner.....Page
Pat Thornquist.....Page
Koel Abell.....Page
Alan Lohof.....Page
Christy Eames.....Page
Scott Koterba.....Page

Report adopted.

EDUCATION AND CULTURAL RESOURCES (Blaylock, Chairman): 4/19/85
HJR 52, be concurred in. Report adopted.

FINANCE AND CLAIMS (Regan, Chairman): 4/18/85
HJR 43, be concurred in. Report adopted.
HJR 50, be concurred in. Report adopted.

LOCAL GOVERNMENT (Fuller, Chairman): 4/19/85
SJR 42, do pass. Report adopted.

REPORTS OF SELECT COMMITTEES

Conference Committee
on Senate Bill No. 427
Report No. 1, April 18, 1985

Mr. President:

We, your Conference Committee on Senate Bill No. 427 met and considered:

House amendments to Senate Bill No. 427.

We recommend as follows:

That Senate Bill No. 427, reference copy, be amended as follows:

1. House State Administration Standing Committee Report, March 27.

Strike: amendment nos. 1 through 15 in their entirety

And that this Conference Committee report be adopted.

For the Senate:	For the House:
Manning, Chairman	Driscoll
Harding	
Lybeck	Harbin

Conference Committee
on House Bill No. 438
Report No. 1, April 19, 1985

Mr. President:

We, your Conference Committee on House Bill No. 438 met and considered:

Senate Judiciary Committee amendments, March 28.

We recommend as follows:

That House Bill No. 438, reference copy, be amended as follows:

1. Page 3, lines 1 through 3.
Strike: "THE" on line 1 through "APPLIED." on line 3

And that this Conference Committee report be adopted.

For the Senate:	For the House:
Towe, Chairman	Bradley
Brown	J. Brown
Eck	Grady
	O'Hara

Conference Committee
on House Bill No. 444
Report No. 1, April 19, 1985

Mr. President:

We, your Conference Committee on House Bill No. 444 met and considered:

Senate Judiciary Committee amendments, March 28.

We recommend as follows:

That House Bill No. 444, reference copy, be amended as follows:

1. Page 1, line 17.
Strike: "MAY"
Insert: "must"

And that this Conference Committee report be adopted.

For the Senate:	For the House:
Howe, Chairman	Bradley
Eck	J. Brown
Brown	Grady
	O'Hara

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman April 19, 1985
President of the Senate
State Capitol
Helena, Montana 59620

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 168, 183, 320, 323, and 451 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman April 19, 1985
President of the Senate
State Capitol
Helena, Montana 59620

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Vincent:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill No. 550, "AN ACT TO ALLOW STATE EMPLOYEES TO POOL A PORTION OF THEIR COMPENSATED SICK LEAVE IN A FUND AND TO DRAW UPON THE FUND IF ABSENCE DUE TO EXTENSIVE ILLNESS OR AN ACCIDENT EXHAUSTS THEIR SICK LEAVE; CREATING A STATE EMPLOYEE SICK LEAVE ADVISORY COUNCIL; AMENDING SECTION 2-18-618, MCA; AND PROVIDING A TERMINATION DATE," without my signature and recommend the attached amendments for the following reason.

As passed, House Bill No. 550 establishes a nonrefundable sick leave fund for state employees. The bill directs the Department of Administration to adopt rules implementing the program in consultation with the state employee sick leave advisory council.

The bill requires that council appointees be state employees who are "contributing" members to the sick leave fund. There can be no "contributing" members, however, until the rules are adopted by the department.

In order to guarantee employee input into the development of the rules, the amendments I am proposing require that the employees appointed to the council demonstrate interest in development of the sick leave fund rather than be contributing members.

I urge your concurrence in these amendments.

Governor's Proposed Amendments
to HB 550

1. Page 3, line 19.
Following: "who"
Strike: "ARE contributing"

2. Page 3, line 20.

Following: "~~member~~" on line 19
Strike: "MEMBERS to"
Insert: "have demonstrated interest in"

3. Page 3, line 20.
Following: "the"
Insert: "development of the"

Sincerely,

Ted Schwinden
Governor

April 19, 1985

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Vincent:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill No. 567, "AN ACT REQUIRING LIFE AND DISABILITY INSURANCE COMPANIES TO SEND WRITTEN CANCELLATION NOTICES BEFORE CANCELING POLICIES FOR NONPAYMENT OF PREMIUMS," without my signature and recommend the attached amendments for the following reason.

The primary purpose of House Bill No. 567 is to provide notice of cancellation to life and disability insurance consumers. As amended, the bill does not require notice to be sent to the consumer's most current address available to the company. The named insured is not always the person paying the premium and in such instances, the policyowner should receive notification as well.

House Bill No. 567 establishes a period of 30 days before cancellation of the policy becomes effective. Since there is already a statutory grace period for premium payment established for both life and disability policies, the notification period and the existing grace period should run concurrently.

Since House Bill No. 567 is a consumer-oriented bill, the exclusion for premiums billed to and payable through an employer is also being stricken. Most such premium payments would already be excluded by Sections 2 and 4. Removal of the exclusion will provide some measure of protection to those individuals whose premiums are paid through their employer on a quarterly or annual basis.

My proposed amendments strengthen the consumer protection aspects of the bill in addition to facilitating the notification procedures.

I urge your concurrence in these amendments.

Governor's Proposed Amendments
to HB 567

1. Page 1, lines 16 and 17.
Following: "policy" on line 16
Strike: ", certificate of insurance,"

2. Page 1, line 18.
Following: "insured"
Insert: "and policyowner, where they are not the same,"
Following: "at the"
Insert: "last known post office"

3. Page 1, line 19.
Following: "in the"
Strike: "policy"
Insert: "records of the company"

4. Page 1, line 23.
Following: "notice."
Insert: "Said 30 days shall run concurrently with the grace period required by 33-20-104."

5. Page 3, line 2.
Following: "(5)"
Strike: "This section"
Insert: "Section 1"

6. Page 3, lines 6 through 8.
Following: "intervals"
Strike: "; or" on line 6 through "employer" on line 8

7. Page 3, lines 10 and 11.
Following: "policy"
Strike: "or certificate of insurance"

8. Page 3, line 12.
Following: "insured"
Insert: "and policyowner, where they are not the same,"

9. Page 3, line 13.
Following: "the"
Insert: "last-known post office"
Following: "in the"
Strike: "policy"
Insert: "records of the company"

10. Page 3, line 17.
Following: "notice."
Insert: "Said 30 days shall run concurrently with any grace period required by 33-22-206."

11. Page 4, line 19.
Following: "(5)"
Strike: "This section"
Insert: "Section 3"

12. Page 4, lines 23 through 25.
Following: "intervals"
Strike: "; or" on line 23 through "employer" on line 25

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol

April 19, 1985

Helena, Montana 59620

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Vincent:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill No. 798, "AN ACT TO AUTHORIZE THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES TO OPERATE COMMUNITY PROGRAMS FOR PHYSICALLY DISABLED PERSONS; TO AUTHORIZE THE DEPARTMENT TO LICENSE COMMUNITY HOMES FOR THE PHYSICALLY DISABLED; ~~AND~~ TO PROVIDE FOR STANDARDS FOR PROGRAMS, ADMINISTRATION, HEALTH, AND SAFETY FOR SUCH SERVICES AND COMMUNITY HOMES; AND AMENDING SECTION 50-5-101, MCA," without my signature and recommend the attached amendment for the following reasons.

As passed, House Bill No. 798 authorizes the Department of Social and Rehabilitation Services to administer a program of services for persons who are physically disabled and to license the group homes providing residential services to recipients of those state sponsored services. This bill was introduced at the request of the Department of Social and Rehabilitation Services for the purpose of establishing statutory authority for the development of the program.

The program was designed to be administered within available funding. The bill was amended to limit development of the program to the extent that federal funds were made available. That limitation precludes the use of state or other funds for the program. Current budgetary action by the Legislature may result in state funds being provided for the program.

The amendment I am proposing will allow the expenditure of state funds appropriated by the Legislature for this program.

I urge your concurrence in this amendment.

Governor's Proposed Amendments
to HB 798

1. Page 1, line 19.
Following: "OF"
Strike: "FEDERAL"
Insert: "available"

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bill passed and transmitted to the Senate for concurrence: 4/19/85

HJR 58, introduced by Addy, Ramirez

Senate amendments to House bill not concurred in and returned to the Senate: 4/19/85

HB 924, introduced by Bardanouve

Governor's amendments to House bills concurred in and returned to the Senate for concurrence in Governor's amendments: 4/19/85

HB 114, introduced by Miles

HB 497, introduced by Koehnke, et al.

Free conference committee reports adopted: 4/19/85

HB 3, free conference committee report

HB 146, free conference committee report

HB 554, free conference committee report

HB 707, free conference committee report

SB 54, free conference committee report

The House, on 4/19/85, dissolved the conference committee on House amendments to SB 119 and appointed a free conference committee.

The Speaker appointed the following members:

Representative Bradley
Representative Brown
Representative Grady
Representative O'Hara

The House, on 4/19/85, dissolved the conference committee on Senate amendments to HB 686 and appointed a free conference committee.

The Speaker appointed the following members:

Representative Hannah
Representative Gould
Representative Keenan
Representative Krueger

The House, on 4/19/85, dissolved the conference committee on Senate amendments to HB 775 and appointed a free conference committee.

The Speaker appointed the following members:

Representative Harbin
Representative Harp
Representative Peterson
Representative Ream

MOTIONS

Senator Van Valkenburg moved that HB 943, on second reading this legislative day, be moved to the top of the board. Motion carried unanimously.

Senator Van Valkenburg moved that the President be authorized to dissolve the conference committee on Senate amendments to HB 681 and that he be authorized to appoint a free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Daniels, Chairman
Senator Pinsoneault
Senator Stephens

Senator Van Valkenburg moved that the Senate recess, subject to the call of the Chair. Motion withdrawn.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

FINANCE AND CLAIMS (Regan, Chairman): 4/19/85

HB 922, third reading copy, be amended as follows:

1. Page 5, line 2.
Strike: "100,000"
Insert: "130,000"

2. Page 9, line 7.
Strike: "100,000"
Insert: "32,000"

3. Page 9, line 11.
Following: "ASSESSMENT"
Insert: "under auspices of the Montana-Western Canadian Provinces Boundary Advisory Committee"

4. Page 9.
Following: line 13
Insert: "22. ANACONDA-DEER LODGE COUNTY 70,000
Sewage Facilities"

5. Page 14.
Following: line 15
Insert: "Section 8. Future preference for appropriations from the resource indemnity trust interest account. In evaluating proposals for use of funds from the resource indemnity trust interest account during the biennium ending June 30, 1989, preferential consideration must be given to proposals that promote projects or activities that:

(1) relate to reclamation or to mitigation of the environmental impacts of resource extraction;

(2) collect, organize, and retrieve natural resource data in a manner compatible with state data systems;

(3) promote effective hazardous waste management; or

(4) are consistent with 15-38-203 which are recommended by standing or interim legislative committees."
Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

TAXATION (Towe, Chairman): 4/20/85

SJR 43, do pass. Report adopted.

MOTIONS

Senator Van Valkenburg moved that the Senate recess, subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 9:18 a.m.

Senate reconvened at 10:11 a.m.

The Chair ruled, without objection, that the staff of the Office of the Fiscal Analyst and the staff of the Committee on Finance and Claims may be seated on the Senate floor during the debate on HB 500.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Blaylock in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 943 - That HB 943, third reading copy, be amended as follows:

1. Title, line 6.
Following: "CERTIFICATE;"
Insert: "PROVIDING THAT SUCH FEES SHALL BE DEPOSITED IN A SEPARATE ACCOUNT FOR FUTURE FUNDING OF CERTAIN TEACHERS' RETIREMENT BENEFITS;"

2. Page 1, line 13.
Following: "certificates"
Insert: "— deposit of fees"
Following: "."
Insert: "(1)"

3. Page 1, line 20.
Following: "$2."
Insert: "(2)"

4. Page 1, lines 22 and 23.
Following: "of" on line 22
Strike: "the general fund"
Insert: "a separate account in the teachers' retirement system pension accumulation fund. Such account may be used only to fund increases in retirement benefits, as may be enacted after July 1, 1985, to teachers who because of the length of time since their retirement receive inadequate benefits."

Amendment passed as follows:

Ayes: Bengtson, Blaylock, Boylan, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Mr. President.
Total 27

Noes: Aklestad, Anderson, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Yellowtail.
Total 23

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 943, as amended, be not concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Keating, Kolstad, Lane, Lynch, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens,

Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 39

Noes: Blaylock, Boylan, Eck, Hirsch, Jacobson, Lybeck, Manning, Towe, Williams.
Total 9

Excused: None.
Total 0

Absent or not voting: Halligan, McCallum.
Total 2

SECTION A. GENERAL GOVERNMENT AND HIGHWAYS

HB 500 - That HB 500 be concurred in. Senator Goodover made a substitute motion that HB 500 be tabled. Substitute motion failed as follows:

Ayes: Aklestad, Goodover, Hammond, Keating, Kolstad, Shaw, Thayer.
Total 7

Noes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 40

Excused: None.
Total 0

Absent or not voting: Galt, Hager, McCallum.
Total 3

That HB 500, reference bill, be amended as follows:

1. Page 5, line 6.
Strike: "1,069,503 1,041,559"
Insert: "980,923 952,979"

COMMENT: This amendment deletes 4 auditors from the legislative auditor's office. Reductions to the general fund is $88,580 each year of the biennium.

Amendment failed as follows:

Ayes: Aklestad, Bengtson, Boylan, Christiaens, Conover, Crippen, Eck, Gage, Hager, Halligan, Harding, Kolstad, McCallum, Mohar, Pinsoneault, Regan, Stephens, Story, Thayer, Tveit, Van Valkenburg, Williams, Mr. President.
Total 23

Noes: Anderson, Blaylock, Daniels, Farrell, Fuller, Galt, Goodover, Haffey, Hammond, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, Neuman, Severson, Shaw, Smith, Stimatz, Towe, Weeding, Yellowtail.
Total 26

Excused: None.
Total 0

Absent or not voting: Brown.

Total 1

That HB 500, reference bill, be amended as follows:

1. Page 5, line 6.
Strike: "1,069,503"
Insert: "1,158,083"
Strike: "1,041,559"
Insert: "1,130,139"

Amendment failed as follows:

Ayes: Fuller, Himsl, Jacobson, Keating, Lybeck, Lynch, Manning, Mazurek, Neuman, Stimatz, Towe, Mr. President.
Total 12

Noes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Kolstad, Lane, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 36

Excused: None.
Total 0

Absent or not voting: Brown, Shaw.
Total 2

That HB 500, reference bill, be amended as follows:

1. Page 6, line 9.
Strike: "1,673,172 2,159,072"
Insert: "1,606,735 2,092,635"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 500, reference bill, be further amended as follows:

1. Page 6, line 18.
Strike: "35,000 35,000"
Insert: "49,000 49,000"

2. Page 6, line 21.
Strike: "25,200 25,200"
Insert: "39,200 39,200"

Amendment passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Daniels, Eck, Fuller, Galt, Goodover, Haffey, Hager, Harding, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Neuman, Pinsoneault, Regan, Stephens, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 32

Noes: Aklestad, Brown, Crippen, Farrell, Gage, Halligan, Hammond, Himsl, Hirsch, Keating, McCallum, Mohar, Severson, Shaw, Smith, Story, Thayer, Tveit.
Total 18

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 500, reference bill, be further amended as follows:

1. Page 7, line 7.
Strike: "19,700"
Insert: "25,000"

2. Page 8.
Following: line 9
Insert: "In the event studies in addition to those specifically assigned by bill or resolution are assigned to the Revenue Oversight Committee, the Legislative Council shall allocate funds to the committee for those studies."

Amendment passed as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Crippen, Daniels, Eck, Fuller, Galt, Haffey, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 27

Noes: Aklestad, Anderson, Boylan, Conover, Farrell, Gage, Goodover, Hager, Halligan, Hammond, Harding, Himsl, McCallum, Mohar, Neuman, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Weeding.
Total 23

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Thayer moved that HB 500, reference bill, be further amended. Senator Regan made a substitute motion that consideration on Senator Thayer's motion be passed. Substitute motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 49

Noes: Thayer.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 500, reference bill, be further amended as follows:

1. Page 15.
Following: line 17
Insert: "C. PPP
"50,000" (general fund fiscal 1986)
"50,000" (general fund fiscal 1987)

2. Page 16.
Following: line 16
Insert: "Item 3c is for federally mandated modifications to the payroll, personnel, position control system only."

Amendment passed as follows:

Ayes: Anderson, Bengtson, Boylan, Brown, Crippen, Daniels, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Pinsoneault, Shaw, Stephens, Stimatz, Thayer, Weeding, Williams, Mr. President.
Total 29

Noes: Aklestad, Blaylock, Christiaens, Conover, Eck, Farrell, Fuller, Haffey, Halligan, Hirsch, Mazurek, Mohar, Neuman, Regan, Severson, Story, Towe, Tveit, Van Valkenburg, Yellowtail.
Total 20

Excused: None.
Total 0

Absent or not voting: Smith.
Total 1

That HB 500, reference bill, be further amended as follows:

1. Page 17.
Following: line 12
Insert: "a. Operations"

2. Page 17, line 13.
Strike: "20,000"

3. Page 17.
Following: line 14
Insert: "b. Microfilm Study
20,000" (federal special revenue fiscal 1986)

4. Page 20, line 8.
Following: "ITEMS"
Insert: "5b,"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 500, reference bill, be further amended as follows:

1. Page 18.
Following: line 20
Insert: "b. UNDERCOVER CRIMINAL INVESTIGATION"
Insert: "300,845 308,959" under general fund
Insert: "c. BUY FUND"
Insert: "100,000" under FY86 general fund

2. Page 20, line 8.
Following: "6B"
Insert: ", 14C,"

Amendment passed as follows:

Ayes: Anderson, Bengtson, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 38

Noes: Aklestad, Blaylock, Boylan, Goodover, Hirsch, Mohar, Neuman, Story, Yellowtail.
Total 9

Excused: None.
Total 0

Absent or not voting: Farrell, Lynch, Smith.
Total 3

That HB 500, reference bill, be further amended as follows:

1. Page 22, line 7.
Strike: "2,785,839 2,837,958"
Insert: "2,467,783 2,571,936"

COMMENT: This amendment deletes six FTE audit staff and 8.5 FTE collection staff in the income tax division. Reductions total $318,056 in fiscal 1986 and $266,022 in fiscal 1987.

Amendment failed as follows:

Ayes: Aklestad, Anderson, Boylan, Crippen, Farrell, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Severson, Shaw, Stephens, Story, Thayer, Tveit, Mr. President.
Total 23

Noes: Bengtson, Blaylock, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 26

Excused: None.
Total 0

Absent or not voting: Smith.
Total 1

That HB 500, reference bill, be further amended. Senator Towe moved that consideration on his amendment be passed. Motion carried unanimously.

That HB 500, reference bill, be further amended as follows:

1. Page 22, line 18.
Strike: "11,035,443 10,315,236"
Insert: "11,252,843 10,641,336"

COMMENT: This amendment restores full funding for the county assessors salaries. General fund increases by $217,400 in fiscal year 1986 and $326,100 in fiscal year 1987.

Amendment passed as follows:

Ayes: Aklestad, Anderson, Boylan, Brown, Christiaens, Conover, Daniels, Gage, Galt, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, McCallum, Pinsoneault, Shaw, Stimatz, Story, Towe, Tveit, Weeding, Williams, Yellowtail.
Total 29

Noes: Bengtson, Blaylock, Crippen, Eck, Farrell, Fuller, Goodover, Haffey, Halligan, Keating, Manning, Mazurek, Mohar, Neuman, Regan, Severson, Stephens, Van Valkenburg, Mr. President.
Total 19

Excused: None.
Total 0

Absent or not voting: Smith, Thayer.
Total 2

That HB 500, reference bill, be further amended as follows:

1. Page 28, line 17.
Strike: "7,397,572 7,472,713"
Insert: "7,427,238 7,502,379"

Amendment failed as follows:

Ayes: Anderson, Bengtson, Boylan, Crippen, Fuller, Gage, Galt, Haffey, Harding, Himsl, Jacobson, Keating, Lane, Lynch, Pinsoneault, Shaw, Thayer, Van Valkenburg, Williams, Mr. President.
Total 20

Noes: Aklestad, Blaylock, Christiaens, Conover, Eck, Farrell, Goodover, Halligan, Hammond, Hirsch, Kolstad, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Stephens, Story, Tveit, Yellowtail.
Total 23

Excused: None.

Total 0

Absent or not voting: Brown, Daniels, Hager, Smith, Stimatz, Towe, Weeding.
Total 7

That HB 500, reference bill, be further amended as follows:

1. Page 31, line 6.
Strike: "775,786 755,100"
Insert: "807,048 786,375"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Regan moved that Section A, General Government and Highways, be closed except for the two remaining amendments to be considered (Senators Thayer and Towe). Motion carried unanimously.

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Blaylock moved the adoption of the committee report. Report adopted.

Senator Van Valkenburg moved that the Senate recess until 2:00 p.m. Motion carried unanimously.

Senate recessed at 1:37 p.m.

Senate reconvened at 2:10 p.m.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Blaylock in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SECTION A. GENERAL GOVERNMENT AND HIGHWAYS (CONTINUED)

HB 500 - That HB 500, reference bill, be amended as follows:

1. Page 13, line 14.
Following: "889,775"

Insert in state special revenue column: "263,600"
Following: "854,273"
Insert in state special revenue column: "161,700"

Senator Regan made a substitute motion that HB 500, reference bill, be amended as follows:

1. Page 13, line 14.
under state special revenue column
Insert: "233,300 144,500"

2. Page 14.
Following: line 10
Insert: "Item 1a state special revenue account is to implement [Senate Bill 129] for a centralized filing system for security interests covering agricultural products.

Personal service costs before the pay plan may not exceed $45,100 in fiscal 1986 and $34,500 in fiscal 1987. Costs and revenue collected for this item are to be clearly identifiable in SBAS."

Substitute motion failed as follows:

Ayes: Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 23

Noes: Aklestad, Anderson, Boylan, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams.
Total 23

Excused: None.
Total 0

Absent or not voting: Bengtson, Brown, Lynch, Stimatz.
Total 4

Senator Thayer's amendment passed as follows:

Ayes: Aklestad, Anderson, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, Lane, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams.
Total 25

Noes: Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 23

Excused: None.
Total 0

Absent or not voting: Bengtson, Stimatz.
Total 2

That HB 500, reference bill, be further amended as follows:

1. Page 22, line 7.
Strike: "6,426 6,844"

Insert: "41,884 38,724"

Amendment failed as follows:

Ayes: Aklestad, Anderson, Blaylock, Eck, Gage, Galt, Harding, Hirsch, Jacobson, Lane, Lybeck, Lynch, Mazurek, Mohar, Pinsoneault, Severson, Towe, Weeding, Yellowtail, Mr. President.
Total 20

Noes: Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Goodover, Haffey, Halligan, Hammond, Himsl, Keating, Kolstad, Manning, McCallum, Neuman, Regan, Shaw, Smith, Stephens, Story, Thayer, Tveit, Van Valkenburg, Williams.
Total 27

Excused: None.
Total 0

Absent or not voting: Bengtson, Hager, Stimatz.
Total 3

Senator Regan moved that Section A, General Government and Highways, be closed. Motion carried unanimously.

SECTION B. HUMAN SERVICES

That HB 500, reference bill, be further amended as follows:

1. Page 38, line 6.
Strike: "218,175 220, 817"
Insert: "81,388 80,992"

2. Page 40, line 17.
Insert: "If [House Bill 633] is not passed and approved, the state special revenue appropriation for fiscal 1986 in item 3f is increased to $218,175 and the state special revenue appropriation in fiscal 1987 is increased to $220,817."

COMMENT: This amendment removes all subdivision fees, totalling $136,787 in fiscal 1986 and $139,825 in fiscal 1987, used to fund the administrative costs of the Subdivision Program of the Water Quality Bureau. House Bill 633 substitutes general fund for subdivision fees for administration of the subdivision program in the Water Quality Bureau.

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Hammond, Keating.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 500, reference bill, be further amended as follows:

1. Page 41, line 14.
Strike: "539,120 543,827"
Insert: "559,314 548,374"

Amendment failed as follows:

Ayes: Bengtson, Blaylock, Christiaens, Daniels, Eck, Fuller, Haffey, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 25

Noes: Aklestad, Anderson, Boylan, Brown, Conover, Crippen, Farrell, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Tveit.
Total 25

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Regan moved that Section B, Human Services, be closed. Motion carried unanimously.

SECTION C. NATURAL RESOURCES

That HB 500, reference bill, be further amended as follows:

1. Page 52, line 25.
Strike: line 25 in its entirety

2. Page 53, lines 5 through 8.
Strike: lines 5 through line 8 in their entirety

Amendment failed as follows:

Ayes: Blaylock, Farrell, Haffey, Halligan, Himsl, Jacobson, Lybeck, Mazurek, Mohar, Regan, Towe, Van Valkenburg, Yellowtail, Mr. President.
Total 14

Noes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Goodover, Hager, Hammond, Harding, Hirsch, Keating, Kolstad, Lane, Lynch, Manning, McCallum, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Weeding, Williams.
Total 36

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 500, reference bill, be further amended as follows:

1. Page 53, line 13.
Strike: " 33,036 53,541"
Insert: "533,036 553,541"

2. Page 53, line 22.

Strike: "415,467 414,284"
Insert: "165,467 164,284"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 500, reference bill, be further amended as follows:

1. Page 58, line 6.
Strike: "2,928,088 2,668,581"
Insert: "2,878,088 2,618,581"

COMMENT: This amendment reduces $50,000 of coal tax parks funds from the parks division each year.

Amendment passed as follows:

Ayes: Blaylock, Boylan, Brown, Christiaens, Daniels, Fuller, Gage, Haffey, Hager, Jacobson, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Shaw, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 27

Noes: Aklestad, Anderson, Bengtson, Conover, Crippen, Eck, Farrell, Galt, Goodover, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Lybeck, Regan, Severson, Smith, Story, Thayer, Tveit.
Total 22

Excused: None.
Total 0

Absent or not voting: Stephens.
Total 1

That HB 500, reference bill, be further amended as follows:

1. Page 60, line 6.
Strike: "355,560"
Insert: "280,560"

2. Page 60, line 7.
Strike: "832,334"
Insert: "757,334"

Amendment failed as follows:

Ayes: Blaylock, Christiaens, Daniels, Farrell, Fuller, Haffey, Halligan, Hirsch, Manning, Mohar, Pinsoneault, Regan, Severson, Shaw, Van Valkenburg, Mr. President.

Total 16

Noes: Aklestad, Bengtson, Boylan, Brown, Conover, Crippen, Eck, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Mazurek, McCallum, Neuman, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail.
Total 33

Excused: None.
Total 0

Absent or not voting: Anderson.
Total 1

That HB 500, reference bill, be further amended as follows:

1. Page 61.
Following: line 16
Insert: "The water resources division is authorized to spend any funds received from penalties and costs collected under [Senate Bill 369] and such funds are appropriated to the department to carry out the purposes of [Senate Bill 369]."

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Hammond, Shaw, Thayer.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 500, reference bill, be further amended as follows:

1. Page 62, line 18.
Strike: "600,116 584,316"
Insert: "300,000 290,000"

Amendment failed.

That HB 500, reference bill, be further amended as follows:

1. Page 65.
Following: line 23
Insert: "The department of commerce is authorized to expend funds deposited to the state special revenue account as a result of [House Bill 295, the 'Lemon Law']."

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 500, reference bill, be further amended as follows:

1. Page 64, line 21.
Strike: "127,538 124,316"
Insert: "131,938 128,716"

Amendment passed as follows:

Ayes: Bengtson, Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 25

Noes: Aklestad, Anderson, Boylan, Brown, Crippen, Farrell, Gage, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, McCallum, Severson, Smith, Stephens, Story, Thayer, Tveit.
Total 22

Excused: None.
Total 0

Absent or not voting: Galt, Lynch, Shaw.
Total 3

That HB 500, reference bill, be further amended as follows:

1. Page 64, line 23.
Strike: "1,100,573 943,134"
Insert: "1,151,533 978,158"

Amendment passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Himsl, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 28

Noes: Aklestad, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Tveit.
Total 20

Excused: None.
Total 0

Absent or not voting: Hirsch, Story.

Total 2

Senator Regan moved that Section C, Natural Resources, be closed. Motion carried unanimously.

SECTION D. DEPARTMENT OF INSTITUTIONS

Senator Regan moved that Section D, Department of Institutions, be closed. Motion carried unanimously.

SECTION E. OTHER EDUCATION

That HB 500, reference bill, be further amended as follows:

1. Page 75, line 8.
Strike: "914,677 886,512"
Insert: "932,346 904,181"

2. Page 75, line 10.
Strike: "376,001 381,738"
Insert: "440,382 446,119"

COMMENT: This amendment adds a .50 FTE reading specialist to the Basic Skills Program of the Office of Public Instruction at a general fund cost of $17,669 in each fiscal year. Additionally, this amendment adds 2.00 FTE curriculum specialists previously supported from federal funds to the Vocational Education Program at a general fund cost of $64,381 in each fiscal year. The total general fund cost in the biennium is $164,100."

Amendment passed as follows:

Ayes: Aklestad, Anderson, Brown, Crippen, Farrell, Fuller, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lybeck, Mazurek, McCallum, Pinsoneault, Shaw, Smith, Stephens, Thayer, Tveit, Weeding, Williams, Yellowtail.
Total 28

Noes: Bengtson, Blaylock, Boylan, Christiaens, Conover, Eck, Haffey, Halligan, Jacobson, Lane, Lynch, Manning, Mohar, Neuman, Regan, Severson, Stimatz, Story, Towe, Van Valkenburg, Mr. President.
Total 21

Excused: None.
Total 0

Absent or not voting: Daniels.
Total 1

That HB 500, reference bill, be further amended as follows:

1. Page 75, line 19.
Strike: "6,175,000 6,295,000"
Insert: "6,086,000 6,086,000"

COMMENT: This amendment reduces the general fund appropriation for school transportation reimbursement to the fiscal 1985 appropriated level. This results in a general fund reduction of $89,000 in fiscal 1986 and $209,000 in fiscal 1987.

The reimbursement schedule for school transportation is set in section 20-10-141, MCA. This statute provides a maximum reimbursement rate for fiscal 1985 of 80 cents per mile plus 2 cents per mile for each seat over 45. This statute has not been changed

in the current legislative session while the appropriation was set in anticipation of a reimbursement schedule increase. The appropriation increase over fiscal 1985 will not be useable as the maximum reimbursement allowed by law is at the fiscal 1985 level.

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 500, reference bill, be further amended as follows:

1. In each of the following locations:

a. Page 78.
Following: line 22

b. Page 79.
Following: line 19

c. Page 80.
Following: line 16

Insert: "The appropriation in item 4(b) is for the biennium. Total audit costs are estimated to be $20,000 for the biennium. Ten percent of these costs are to be paid from funds other than those appropriated in items 1 through 4."

2. In each of the following locations:

a. Page 81.
Following: line 13

b. Page 82.
Following: line 10

Insert: "The appropriation in item 4(b) is for the biennium. Total audit costs are estimated to be $20,000 for the biennium. Fifteen percent of these costs are to be paid from funds other than those appropriated in items 1 through 4."

COMMENT: This amendment clarifies legislative intent regarding the contribution of non-general funds for the payment of audit fees at the vo-tech centers. The legislature approved in House floor action maximization of non-general funds to pay for legislative audits. The legislature approved the amendment which provides that a portion of the total audit cost at each vocational-technical center be paid from funds other than those appropriated in HB 500. At the Billings, Butte, and Great Falls

centers, this non-general fund portion is 10%. At the Helena and Missoula centers, the non-general fund portion is 15%.

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Regan moved that Section E, Other Education, be closed. Motion carried unanimously.

SECTION F. HIGHER EDUCATION

That HB 500, reference bill, be further amended as follows:

1. Page 93, line 20.
Strike: "3,113,325"
Insert: "3,342,860"

COMMENT: This amendment increases general fund in the physical plant program $229,535 in fiscal 1986 only.

Amendment passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Haffey, Hager, Hammond, Harding, Himsl, Jacobson, Kolstad, Lane, Lybeck, Lynch, Mazurek, Pinsoneault, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 37

Noes: Aklestad, Christiaens, Gage, Goodover, Hirsch, Keating, Manning, Mohar, Neuman, Regan, Shaw.
Total 11

Excused: None.
Total 0

Absent or not voting: Halligan, McCallum.
Total 2

That HB 500, reference bill, be further amended as follows:

1. Page 94, line 17.
Strike: "12,022,215"
Insert: "12,288,456"

COMMENT: This amendment provides general fund of $266,241 in fiscal 1987 to start a masters of business administration program at Eastern Montana College. The degree would be offered from

the University of Montana, therefore, the funding is placed at the University of Montana.

Amendment passed as follows:

Ayes: Bengtson, Blaylock, Brown, Conover, Crippen, Daniels, Eck, Fuller, Haffey, Hager, Halligan, Jacobson, Keating, Kolstad, Lybeck, Lynch, Neuman, Pinsoneault, Regan, Stephens, Stimatz, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 26

Noes: Aklestad, Anderson, Boylan, Christiaens, Farrell, Gage, Galt, Goodover, Hammond, Harding, Himsl, Hirsch, Lane, Manning, Mazurek, Mohar, Severson, Shaw, Smith, Story, Thayer, Tveit, Williams.
Total 23

Excused: None.
Total 0

Absent or not voting: McCallum.
Total 1

Senator Regan moved that Section F, Higher Education, be closed. Motion carried unanimously.

BOILER PLATE

That HB 500, reference bill, be further amended as follows:

1. Page 4, line 2.
Following: "1987"
Insert: "The portion of the general fund which represents this appropriation is appropriated to the department of commerce in House Bill 500, items 8, 9, 11, and 15, the vocational-technical centers in House Bill 500, and any funds not otherwise designated shall be considered part of the university system's appropriation in House Bill 500."

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 500, reference bill, be further amended as follows:

1. Page 4.
Following: line 9
Insert: "Section 14. Pay Plan Appropriation Coordination. From the appropriation for the pay plan act in [House Bill 375], the office

of budget and program planning is authorized to increase the expenditure authority of the vocational-technical centers, community colleges, and the department of institutions for the community mental health centers."

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 500, as amended, be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Haffey, Hager, Halligan, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stephens, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 38

Noes: Aklestad, Farrell, Galt, Goodover, Hammond, Hirsch, Severson, Shaw, Smith, Thayer, Tveit.
Total 11

Excused: None.
Total 0

Absent or not voting: McCallum.
Total 1

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Blaylock moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the rules be temporarily suspended for the purpose of placing HB 500 on third reading this legislative day. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault,

Regan, Severson, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Goodover, Shaw, Smith.
Total 3

Excused: None.
Total 0

Absent or not voting: Kolstad, Lynch, McCallum.
Total 3

Senator Bengtson moved that the President be empowered to appoint a free conference committee to meet with a committee from the House of Representatives to confer on HB 873. Motion carried unanimously.

The President appointed the following members:

Senator Bengtson, Chairman
Senator Haffey
Senator Himsl

Senator Mazurek moved that the President be empowered to appoint a free conference committee to meet with a committee from the House of Representatives to confer on HB 430. Motion carried unanimously.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 4/19/85
Delivered to the Governor for his approval at 3:00 p.m., 4/19/85: SB 400.
Correctly printed and placed on the members' desks: SJR 42, SJR 43.
4/20/85

Report adopted.

FINANCE AND CLAIMS (Regan, Chairman): 4/20/85
HB 947, third reading copy, be amended as follows:

1. Page 7, line 7.
Following: "Repair"
Insert: "with Possible Emergency Breach"

2. Page 13, line 14.
Following: "LAND""
Insert: "and then for the projects approved in the category of "water development""

3. Page 13, lines 16 and 17.
Following: line 15
Strike: line 16 through "HB 913" on line 17
Insert: "fully funded by House Bill 922"

4. Page 18, line 22.
Following: "exceed"
Strike: "$51,152,528"
Insert: "$51,652,528"

5. Page 19, line 2 through line 9 on page 22.
Following: "(2)"

Strike: remainder of subsection (2) in its entirety

Insert: "The Board of Examiners may issue State of Montana coal severance tax bonds for loans to political subdivisions and local government entities not to exceed the loan amount listed for the project.

GROUP A Notwithstanding the conditions set forth in section 14, the interest rate for projects in this group may be four percentage points below the long-term bond rate at which the state bond is sold for the first 5 years of an anticipated 20-year term and must be at the rate at which the state bond is sold for the remaining 15 years.

	LOAN AMOUNT
DUTTON, TOWN OF Water Supply Construction	$652,000
EAST BENCH IRRIGATION DISTRICT Gravity Irrigation System	400,000
GLASGOW, CITY OF Water Supply Source	5,662,000
NEIHART, TOWN OF Water System Improvement	550,000
YELLOWSTONE COUNTY Cedar Park Water System	555,000
YELLOWSTONE COUNTY Oxbow Area Water Supply	1,100,000

GROUP B Notwithstanding the conditions set forth in section 14, the interest rate for projects in this group may be three percentage points below the long-term bond rate at which the state bond is sold for the first 5 years of an anticipated 20-year term and must be at the rate at which the state bond is sold for the remaining 15 years.

	LOAN AMOUNT
COOKE PASS-COOKE CITY-SILVER GATE County Water/Sewer District Sewer Improvements	$336,730
FORT BENTON, CITY OF Water System Improvement	753,060
POPLAR, TOWN OF Water System Improvement	477,260
WORDEN/BALLENTINE YELLOWSTONE COUNTY Water and Sewer District Reservoir Construction	500,000
EVERGREEN WATER AND SEWER DISTRICT Flathead County Sewer System	3,226,900
HUNGRY HORSE WATER AND SEWER DISTRICT Water System Improvements	762,430
DODSON, TOWN OF New Water Well	170,000
DRUMMOND, TOWN OF Fire and Water Project	304,600
LAKESIDE COUNTY SEWER DISTRICT Wastewater Treatment Facility	1,190,000
BOZEMAN, CITY OF Lyman Creek Water System Improvement	726,079
CHARLO WATER USERS ASSOCIATION Distribution System Replacement	269,440
EAST HELENA, CITY OF Water System Improvement	434,434
EKALAKA, TOWN OF Water System Renovation	395,250

HAVRE, CITY OF Water System Improvement	2,590,000

GROUP C Notwithstanding the conditions set forth in section 14, the interest rate for projects in this group may be two percentage points below the long-term bond rate at which the state bond is sold for the first 5 years of an anticipated 20-year term and must be at the rate at which the state bond is sold for the remaining 15 years.

	LOAN AMOUNT
LOCKWOOD IRRIGATION DISTRICT System Renovation	$247,000
PONDERA COUNTY CONSERVATION DISTRICT Lower Birch Creek Watershed	750,000
SEELEY LAKE WATER DISTRICT Water Storage Tank	310,706
WHITEHALL, TOWN OF Sewer Project	300,400
WHITE SULPHUR SPRINGS, TOWN OF Water System Improvements	639,150
DENTON, TOWN OF Water Supply System	185,000
JUDITH GAP, TOWN OF Water Supply Source	100,000
LIMA, TOWN OF Water Facilities Update	376,500

GROUP D Notwithstanding the conditions set forth in section 14, the interest rate for projects in this group must be the rate at which the state bond is sold.

	LOAN AMOUNT
MIDDLE CREEK DAM REHABILITATION	$3,500,000
MILK RIVER IRRIGATION DISTRICT Tiber Dam Power Project	17,869,000
ANACONDA/DEER LODGE COUNTY Sewage Facilities	500,000
HILL COUNTY WATER DISTRICT Rural Water Supply	1,410,000

GROUP E Notwithstanding the conditions set forth in section 14, the interest rate for the project in this group must be 3% over a 30-year term.

	LOAN AMOUNT
EAST BENCH IRRIGATION DISTRICT McHessor Dry Gulch Gravity Irrigation System	$1,317,295

GROUP F Notwithstanding the conditions set forth in section 14, the interest rate for the project in this group must be 8% over a 20-year term.

	LOAN AMOUNT
TIBER COUNTY WATER DISTRICT New Control and Monitoring System	$559,260

GROUP G Notwithstanding the conditions set forth in section 14, the interest rate for projects in this group must be 6% over a 30-year term.

LOAN AMOUNT

GERALDINE COUNTY WATER DISTRICT $313,910
Rural Water System
ROOSEVELT COUNTY RURAL WATER DISTRICT 2,219,124
Rural Water System"

6. Page 27.
Following: line 7
Insert: "(6) There is approved a loan for the amount of $484,270 for a slow sand filter on Midvale Creek necessary for improving the water supply to the town of East Glacier. The Department of Natural Resources and Conservation is directed to classify this loan into one of the groups set forth in subsection (2) and report this classification to the Legislative Finance Committee."

7. Page 35.
Following: line 10
Insert: "NEW SECTION. Section 17. Water development program direction — future preference for appropriations. (1) The Department of Natural Resources and Conservation is directed to recognize in particular the primary role of agriculture in the state's economy and the needs of its agricultural constituency when it formulates its promotion, assistance, and development programs.

(2) In evaluating proposals for use of funds from the water development state special revenue account for the biennium ending June 30, 1989, the Department of Natural Resources and Conservation and the Legislature shall give preferential consideration to proposals that promote:

(a) the water reservation program established by 85-2-316;

(b) the development of the state water plan required by 85-1-203; and

(c) other state water programs recommended by the Legislative Water Policy Committee established in section 19 of House Bill No. 680."

And, as amended, be concurred in. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Lynch, Chairman): 4/17/85
HB 375, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

Conference Committee
on Senate Bill No. 215
Report No. 1, April 19, 1985

Mr. President:

We, your Conference Committee on Senate Bill No. 215 met and considered:

House Amendments to Senate Bill No. 215, April 16, 1985.

We recommend as follows:

That Senate Bill No. 215, reference copy, be amended as follows:

1. Title, line 6.
Following: "~~MONETARY~~"
Insert: "MONETARY"

2. Page 1, lines 8 through 10.

Following: "COMMITTEES;" on line 8
Strike: remainder of line 8 through "PERSONS;" on line 10

3. Page 1, line 15.
Following: "~~A~~"
Strike: remainder of line 15
Insert: "A"

4. Page 1, line 17.
Following: "~~$1,000~~"
Strike: "$1,100"
Insert: "$1,000"
Following: "~~monetary~~"
Insert: "monetary"

5. Page 1, line 20.
Following: "~~$600~~"
Strike: "$1,100"
Insert: "$600"
Following: "~~monetary~~"
Insert: "monetary"

6. Page 2, line 3.
Following: "~~may not~~"
Strike: "MUST"
Insert: "may not"

7. Page 2, line 12 through line 22, page 4.
Following: "~~contributions.~~" on line 12
Strike: remainder of line 12 through line 22, page 4
Insert: ""monetary contributions" means all contributions having a definite monetary value, including contributions of postage stamps, contracted services, payment of campaign debts, and all other such contributions."

8. Page 4, line 23 through line 2, page 5.
Strike: subsection (4) in its entirety

And that this Conference Committee report be adopted.

For the Senate:	For the House:
Haffey, Chairman	Addy
Yellowtail	Harper

Free Conference Committee
on Senate Bill No. 33
Report No. 1, April 20, 1985

Mr. President:

We, your Free Conference Committee on Senate Bill No. 33 met and considered:

Senate Bill No. 33.

We recommend as follows:

That Senate Bill No. 33, reference copy, be amended as follows:

1. Title, line 15.
Following: "1986;"
Insert: "CREATING CLASS THIRTEEN PROPERTY FOR TIMBERLANDS; REMOVING TIMBERLANDS FROM CLASS

THREE PROPERTY; CONTINUING THE EXEMPTION FROM THE PROVISIONS OF THE REALTY TRANSFER ACT FOR TIMBERLANDS;"

2. Title, line 16.
Strike: "SECTION"
Insert: "SECTIONS 15-6-101,"
Following: "15-7-201,"
Insert: "15-7-202, 15-7-307, AND 15-8-111,"

3. Title, lines 16 through 18.
Following: "MCA;"
Strike: remainder of line 16 through "RULES;" on line 18

4. Title, lines 18 and 19.
Following: "~~DELAYED~~" on line 18
Strike: "AN IMMEDIATE"
Insert: "A DELAYED"

5. Title, line 19.
Following: "DATE AND"
Strike: "AN APPLICABILITY"
Insert: "A TERMINATION"

6. Page 4, line 9.
Following: "shall"
Strike: ":"

7. Page 4, line 10.
Strike: "(A)"

8. Page 4, lines 22 through 25.
Strike: subsection (B) in its entirety
Insert: "NEW SECTION. Section 2. Class thirteen property — description — taxable percentage. (1) Class thirteen property includes all timberland.

(2) Timberland is contiguous land exceeding 15 acres in one ownership that is capable of producing timber that can be harvested in commercial quantity.

(3) Class thirteen property is taxed at the percentage rate "P" of the combined appraised value of the standing timber and grazing productivity of the property.

(4) For taxable years beginning January 1, 1986, and thereafter, the taxable percentage rate "P" applicable to class thirteen property is 30%/B, where B is the certified statewide percentage increase to be determined by the department of revenue as provided in subsection (5). The taxable percentage rate "P" shall be rounded downward to the nearest 0.01% and shall be calculated by the department before July 1, 1986.

(5) (a) Prior to July 1, 1986, the department shall determine the certified statewide percentage increase for class thirteen property using the formula B = X/Y, where:

(i) X is the appraised value, as of January 1, 1986, of all property in the state, excluding use changes occurring during the preceding year, classified under class thirteen as class thirteen is described in this section; and

(ii) Y is the appraised value, as of January 1, 1985, of all property in the state that, as of January 1, 1986, would be classified under class thirteen as class thirteen is described in this section.

(b) B shall be rounded downward to the nearest 0.0001%.

(6) After July 1, 1986, no adjustment may be made by the department to the taxable percentage rate "P" until a valuation has been made as provided in 15-7-111.

Section 3. Section 15-6-101, MCA, is amended to read:

"15-6-101. Property subject to taxation — classification. (1) All property in this state is subject to taxation, except as provided otherwise.

(2) For the purpose of taxation, the taxable property in the state shall be classified in accordance with ~~15-6-131 through 15-6-141~~ this part."

Section 4. Section 15-7-202, MCA, is amended to read:

"15-7-202. Eligibility of land for valuation as agricultural. (1) Land which is actively devoted to agricultural use shall be eligible for valuation, assessment, and taxation as herein provided each year it meets any of the following qualifications:

(a) the area of such land is not less than 5 contiguous acres when measured in accordance with provisions of 15-7-206, and it has been actively devoted to agriculture during the last growing season, and it continues to be actively devoted to agricultural use, which means:

(i) it is used to produce field crops including but not limited to grains, feed crops, fruits, vegetables; or

(ii) it is used for grazing; or

~~(iii) it is used for growing timber, or~~

~~(iv)~~(iii) it is in a cropland retirement program; or

(b) it agriculturally produces for sale or home consumption the equivalent of 15% or more of the owners' annual gross income regardless of the number of contiguous acres in the ownership; or

(c) it is used to raise animals in confined areas for the production of food or fiber, including but not limited to livestock, feedlots, dairies, fish hatcheries, and poultry farms.

(2) Land shall not be classified or valued as agricultural if it is subdivided with stated restrictions prohibiting its use for agricultural purposes.

(3) The grazing on land by a horse or other animals kept as a hobby and not as a part of a bona fide agricultural enterprise shall not be considered a bona fide agricultural operation.

(4) For the purposes of this part, growing timber is not an agricultural use."

Section 5. Section 15-7-307, MCA, is amended to read:

"15-7-307. Certificate — exceptions. The certificate imposed by this part shall not apply to:

(1) an instrument recorded prior to July 1, 1975;

(2) the sale of agricultural land when the land is used for agricultural purposes;

(3) the sale of timberland when the land is used for producing timber;

~~(3)~~(4) the United States of America, this state, or any instrumentality, agency, or subdivision thereof;

~~(4)~~(5) an instrument which (without added consideration) confirms, corrects, modifies, or supplements a previously recorded instrument;

~~(5)~~(6) a transfer pursuant to court decree;

~~(6)~~(7) a transfer pursuant to mergers, consolidations, or reorganizations of corporations, partnerships, or other business entities;

~~(7)~~(8) a transfer by a subsidiary corporation to its parent corporation without actual consideration or in sole consideration of the cancellation or surrender of subsidiary stock;

~~(8)~~(9) a transfer of decedents' estates;

~~(9)~~(10) a transfer of a gift;

~~(10)~~(11) a transfer between husband and wife or parent and child with only nominal actual consideration therefor;

~~(11)~~(12) an instrument the effect of which is to transfer the property to the same party or parties;

~~(12)~~(13) a sale for delinquent taxes or assessments, sheriff sale, bankruptcy action, or mortgage foreclosure;

~~(13)~~(14) a transfer made in contemplation of death."

Section 6. Section 15-8-111, MCA, is amended to read:

"15-8-111. Assessment — market value standard — exceptions. (1) All taxable property must be assessed at 100% of its market value except as provided in subsection (5) of this section and in 15-7-111 through 15-7-114.

(2) (a) Market value is the value at which property would change hands between a willing buyer and a willing seller, neither being under any compulsion to buy or to sell and both having reasonable knowledge of relevant facts.

(b) The market value of all motor trucks; agricultural tools, implements, and machinery; and vehicles of all kinds, including but not limited to motorcycles, aircraft, and boats and all watercraft, is the average wholesale value shown in national appraisal guides and manuals or the value of the vehicle before reconditioning and profit margin. The department of revenue shall prepare valuation schedules showing the average wholesale value when no national appraisal guide exists.

(3) The department of revenue or its agents may not adopt a lower or different standard of value from market value in making the official assessment and appraisal of the value of property in 15-6-134 through 15-6-140. For purposes of taxation, assessed value is the same as appraised value.

(4) The taxable value for all property in classes four through eleven is the percentage of market value established for each class of property in 15-6-134 through 15-6-141.

(5) The assessed value of properties in 15-6-131 through 15-6-133 is as follows:

(a) Properties in 15-6-131, under class one, are assessed at 100% of the annual net proceeds after deducting the expenses specified and allowed by 15-23-503.

(b) Properties in 15-6-132 under class two are assessed at 100% of the annual gross proceeds.

(c) Properties in 15-6-133, under class three, are assessed at 100% of the productive capacity of the lands when valued for agricultural purposes. All lands that meet the qualifications of 15-7-202 are valued as agricultural lands for tax purposes.

(d) Properties in [section 2], under class thirteen, are assessed at 100% of the combined appraised value of the standing timber and grazing productivity of the land when valued as timberland.

(6) Land and the improvements thereon are separately assessed when any of the following conditions occur:

(a) ownership of the improvements is different from ownership of the land;

(b) the taxpayer makes a written request; or

(c) the land is outside an incorporated city or town.

(7) The taxable value of all property in 15-6-131 and classes two, ~~and~~ three, and thirteen is the percentage of assessed value established in 15-6-131(2), 15-6-132, ~~and~~ 15-6-133, and [section 2] for each class of property."

NEW SECTION. Section 7. Extension of authority. Any existing authority of the department of revenue to make rules on the subject of the provisions of this act is extended to the provisions of this act.

NEW SECTION. Section 8. Codification instruction. Section 2 is intended to be codified as an integral part of Title 15, chapter 6, part 1, and the provisions of Title 15, apply to section 2.

NEW SECTION. Section 9. Coordination instruction. In the event that House Bill No. 240, including those sections separating agricultural land and timberland, or any other similar bill passes which separates agricultural land and timberland into separate classes, the provisions of this act as they apply to timberland shall be void. In the event that Senate Bill No. 431 passes, the definition of timberland in section 2 must be consistent with the definition embodied in Senate Bill No. 431."

Renumber: subsequent sections

9. Page 5, lines 1 through 3.
Strike: section 2 in its entirety

10. Page 5, line 5.
Strike: "APPLICABILITY"
Insert: "termination"

11. Page 5, lines 5 and 6.
Following: "effective" on line 5
Strike: remainder of line 5 through line 6

12. Page 5, line 7.

Following: "1986,"
Insert: ", and, except for section 3, terminates January 1, 1991"

13. Attach the following statement of intent:

"Statement of Intent
SB 33

It is the intent of the legislature that the department of revenue use the administrative rules for timberland currently in place on the effective date of this act.

Furthermore, it is the intent of the legislature that the changes embodied in Senate Bill No. 33 would ensure that the taxable value of timber, as a class, will not increase in 1986 as a result of being placed in a separate class and having the tax rate calculated as described in Senate Bill No. 33.

Finally, it is the intent of the legislature that the department of revenue may not subsequently change the valuation method for timber until 1991 or the completion of the next reappraisal cycle as required by 15-7-111."

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Halligan, Chairman	Harp
Towe	Schye
McCallum	Switzer
	Williams

Free Conference Committee
on Senate Bill No. 119
Report No. 1, April 19, 1985

Mr. President:

We, your Free Conference Committee on Senate Bill No. 119 met and considered:

Senate Bill No. 119.

We recommend as follows:

That Senate Bill No. 119, reference copy, be amended as follows:

1. Page 2, lines 20 and 21.
Following: "DEDUCT" on line 20
Strike: remainder of line 20 through "MADE" on line 21
Insert: "a percentage of the total sum collected which represents the department's standard proportion"

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Towe, Chairman	Bradley
Eck	J. Brown
Brown	Grady
	O'Hara

Free Conference Committee
on Senate Bill No. 221
Report No. 1, April 19, 1985

Mr. President:

We, your Free Conference Committee on Senate Bill No. 221 met and considered:

Senate Bill No. 221.

We recommend as follows:

That Senate Bill No. 221, reference copy, be amended as follows:

1. Page 5, line 24.
Strike: "20%"
Insert: "20.25%"

2. Page 6, line 14.
Strike: "22%"
Insert: "22.25%"

3. Page 6, line 15.
Strike: "20%"
Insert: "20.25%"

4. Page 6, line 22.
Strike: "1%"
Insert: "1.25%"

5. Page 7, line 14.
Strike: "1%"
Insert: "1.25%"

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Manning, Chairman	Pavlovich
Lynch	Driscoll
Gage	

Free Conference Committee
on House Bill No. 681
Report No. 1, April 19, 1985

Mr. President:

We, your Free Conference Committee on House Bill No. 681 met and considered:

Senate Judiciary Report, March 19, 1985.

We recommend as follows:

That House Bill No. 681, reference copy, be amended as follows:

1. Page 3, lines 14 and 15.
Following: "KNOWN"
Strike: "OR" through "PRIVACY" on line 15

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Daniels, Chairman	J. Brown
Pinsoneault	Keyser
Stephens	Spaeth
	Winslow

Free Conference Committee
on House Bill No. 686
Report No. 2, which corrects Report No. 1, April 20, 1985

Mr. President:

We, your Free Conference Committee on House Bill No. 686 met and considered:

Senate Public Health, Welfare and Safety Report, March 27, 1985.

We recommend as follows:

That House Bill No. 686, reference copy, be amended as follows:

1. Title.
Following: line 8
Insert: "41-3-301,"
Following: "41-3-404"
Insert: ","

2. Page 1.
Following: line 11
Insert: "Section 1. Section 41-3-301, MCA, is amended to read:

"41-3-301. Emergency protective service. (1) Any child protective social worker of the department of social and rehabilitation services, the county welfare department, a peace officer, or the county attorney who has reason to believe any youth is in immediate or apparent danger of harm may immediately remove the youth and place him in a protective facility. The department may make a request for further assistance from the law enforcement agency or take appropriate legal action. The person or agency placing the child shall notify the parents, parent, guardian, or other person having legal custody of the youth at the time the placement is made or as soon thereafter as possible.

(2) No child who has been removed from his home or any other place for his protection or care may be placed in a jail.

(3) A petition shall be filed within 48 hours of emergency placement of a child unless arrangements acceptable to the agency for the care of the child have been made by the parents.

(4) The department of social and rehabilitation services and the county welfare department shall make such necessary arrangements for the youth's well-being as are required prior to the court hearing.""
Renumber: subsequent sections

3. Page 1, line 14 and page 4, line 17.
Following: ";"
Insert: ","
Strike: "OR"

4. Page 1, line 16 and page 4, line 19.
Following: "~~SERVICES~~"
Insert: ", or an attorney hired by the county welfare department or office of human services"

5. Page 5, lines 19 through 21.
Strike: "AN" through "POSSIBLE" on line 21
Insert: "When the youth is placed in a medical facility or protective facility, the department shall notify the parents or parent, guardian, or other person having legal custody of the youth at the time the placement is made, or as soon thereafter as possible"

And that this Free Conference Committee report be adopted.

For the Senate: For the House:

Jacobson, Chairman
Lynch
Stephens
Hannah
Gould
Keenan
Krueger

FIRST READING OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 792, introduced by Garcia, J. Hammond, Marks, Ream, J. Moore, Phillips, Regan, Cody, Holliday, Keyser, Vincent, Peck, Bachini, McCormick, Eck, Christiaens, Bardanouve, O'Connell, M. Williams, Asay, Poff, Keenan, Jacobson, Harrington, Darko, Nisbet, Menahan, Blaylock, Quilici, Pavlovich, D. Brown, Driscoll, Abrams, Schultz, Harper, Addy, Brandewie, Kitselman, Iverson, Nathe, Harp, Spaeth, Fritz, Simon, Thomas, Glaser, Patterson, Winslow, Gilbert, Miller, Wallin, C. Smith, Bengtson, Yellowtail, Mazurek, Hirsch, Lybeck, Jones, Manning, Boylan, Peterson, Compton, Jenkins, Ramirez, Pistoria, Bradley, Campbell. Referred to Committee on Finance and Claims.

HJR 58, introduced by Addy, Ramirez. Referred to Committee on State Administration.

HJR 60, introduced by Ramirez, Spaeth, Thoft, Bergene, J.K. Moore, Connelly, Devlin, Manuel, Peck, Miller, J. Brown, Rehberg, Zabrocki, Miles, Iverson, O'Connell, Nathe, Swift, Thomas, Holliday, Hannah, Fritz, Switzer, Jenkins, Compton, Mercer. Referred to Committee on State Administration.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

Senator McCallum excused at this time.

HB 500 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Haffey, Hager, Halligan, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Neuman, Pinsoneault, Regan, Stephens, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 37

Noes: Aklestad, Farrell, Galt, Goodover, Hammond, Hirsch, Mohar, Severson, Shaw, Smith, Thayer, Tveit.
Total 12

Excused: McCallum.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the Senate adjourn until 10:00 a.m., April 22, 1985.

Motion carried.

Senate adjourned at 6:05 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

EIGHTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
April 22, 1985

Senate Chambers
State Capitol

Senate convened at 10:05 a.m., President Norman presiding. Invocation by the Chaplain, Pastor Monsen. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journals for the eighty-fifth and eighty-sixth legislative days, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 4/20/85
Signed by the President at 4:30 p.m., 4/20/85: SB 66, SB 77, SB 79, SB 93, SB 165, SB 319, SB 379, SB 416, SJR 31.

Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 4/22/85
Recommend that at the beginning of business April 22, 1985, the following be employed:

Gregory Bergren.....Page
Bruce Larsen.....Page
Sallykay Bertelsen.....Page
Taru Hakkarainen.....Page
Erica Cantrell.....Page
Michael Kello.....Page
Lei Kotynski.....Page
Andrew Lindborg.....Page
Robert Elias.....Page

Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 20, 1985

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Vincent:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return Senate Bill No. 25, "AN ACT REQUIRING THE STATE TO ASSUME FUNDING FOR CERTAIN DISTRICT COURT EXPENSES AND REQUIRING THE LEGISLATURE TO PROVIDE FULL FUNDING FOR THE DISTRICT COURT GRANT PROGRAM; AMENDING SECTIONS 3-5-602, 3-5-604, 7-6-2352, 7-6-2426, 7-6-2427, 46-8-114, 46-8-201, 46-8-202, 46-11-319, 46-14-202, 46-14-221, 46-15-104, AND 46-18-235, MCA; AND PROVIDING

AN EFFECTIVE DATE," without my signature and recommend the attached amendments for the following reason.

Although Senate Bill No. 25 requires the state to fund certain district court criminal expenses and grants, the mechanism to fund Senate Bill No. 25 is contained in Senate Bill No. 142. The latter bill has not been passed.

To avoid the possibility that the state assumes the funding obligation without a funding mechanism, both bills contain coordination instructions providing that the failure to pass and approve one bill voids the other. Unfortunately, these instructions do not adequately resolve the problem that would be created should Senate Bill No. 142 be passed and approved with insufficient funding. In that situation the state would have the obligation to fund the district courts and the grant program but insufficient money to meet those obligations.

If I were to sign Senate Bill No. 25 in its present form, the only options available to the Legislature to avoid this problem would be to pass Senate Bill No. 142 with full funding or to kill it. My proposed amendments give the Legislature a third option — that of partial funding. They provide that the state has an obligation to provide funding only to the extent of appropriations.

Governor's Proposed Amendments
to SB 25

1. Title, line 5.
Following: "ACT"
Strike: "REQUIRING"
Insert: "AUTHORIZING"

2. Title.
Following: line 6
Strike: "REQUIRING"
Insert: "AUTHORIZING"
Following: "PROVIDE"
Strike: "FULL"

3. Page 1, line 17.
Following: "only"
Insert: "and to the extent that funds are appropriated for that purpose"

4. Page 2, lines 5 through 7.
Following: "(3)" on line 5
Strike: remainder of line 5 through "(1)" on line 7
Insert: "If monies appropriated for the expenses listed in subsection (1) are insufficient to fully fund those expenses, the county is responsible for payment of the balance. If no monies are appropriated, the county is responsible for payment of all expenses."

5. Page 2, line 12.
Following: "[section 1]"
Insert: ", including prorating of those funds should they not be sufficient to cover all expenses listed in [section 1]"

6. Page 3, line 4.
Following: "fees"
Insert: "on a full or prorated basis in accordance with [section 2]"

7. Page 3, line 25.
Following: "courts in the district"

Insert: "and the amount appropriated for that purpose"

8. Page 4, lines 1 through 3.
Following: "pay" on line 1
Strike: "its portion"
Insert: "the remainder"
Following: "salary" on line 1
Strike: remainder of line 1 through "courts in the district" on line 3

9. Page 5, line 12.
Following: "who"
Insert: ", in accordance with [section 2],"

10. Page 5, line 13.
Following: "of"
Insert: "all or a portion of"

11. Page 5, line 14.
Following: "reporter."
Insert: "If the supreme court administrator, in accordance with [section 2], pays none or only a portion of the amount due, the county shall pay the balance upon receipt of a statement from the reporter."

12. Page 5, line 24.
Following: "(2)"
Insert: "to the extent funds are available"
Following: "."
Insert: "The county shall pay the remainder as required in [section 1]."

13. Page 6, line 2.
Following: "grants"
Insert: ", to the extent funds are appropriated for that purpose,"

14. Page 6, lines 4 through 13.
Following: "section." on line 4
Strike: remainder of line 4 through "counties." on line 13

15. Page 6, line 24.
Following: "~~(2)~~"
Strike: "(3)"
Insert: "(2)"

16. Page 7, line 12.
Following: "(4)"
Strike: "The"
Insert: "To the extent funds are available, the"

17. Page 10, line 9.
Following: "~~(1)~~"
Insert: "(1)"

18. Page 10.
Following: line 18
Insert: "(2) When a criminal action is removed before trial, the costs accruing upon such removal and trial must be a charge against the county in which the indictment was found or information filed, subject to partial or total reimbursement as provided in [section 1]."

19. Page 11, line 1.
Following: "~~county~~"
Insert: "county,"

Following: "city"
Insert: ","
Strike: "or"

20. Page 11, line 15.
Following: "~~arose~~"
Insert: "county in which the proceeding arose, or the"

21. Page 11, line 16.
Following: "administrator,"
Insert: "or both as provided in [section 1],"

22. Page 12, line 9.
Following: "[section 2(1)]"
Insert: "and, to the extent those costs are not paid by the state, at county expense in accordance with [section 1(3)] and [section 2(1)]"

23. Page 12, line 19.
Following: "(2)"
Strike: "The"
Insert: "Subject to the procedures established pursuant to [section 2(1)], the"

24. Page 13, line 24.
Following: "state"
Insert: ", or both,"

25. Page 16, line 17.
Following: "for"
Insert: "all or a portion of"

26. Page 17, line 8.
Following: "fund"
Insert: "to the extent the expenses were paid by the state"

27. Page 17, line 19.
Following: "APPROVED"
Insert: "OR IF SENATE BILL NO. 142, AS PASSED AND APPROVED, CONTAINS NO FUNDING OR APPROPRIATION FOR DISTRICT COURT EXPENSES AND GRANTS"

Sincerely,

Ted Schwinden
Governor

April 22, 1985

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Vincent:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill No. 739, "AN ACT TRANSFERRING THE ADMINISTRATION OF THE BOARD OF WATER WELL CONTRACTORS FROM THE DEPARTMENT OF COMMERCE TO THE DEPARTMENT OF NATURAL

RESOURCES AND CONSERVATION; REDEFINING "WATER WELL CONTRACTOR" AND PROVIDING A DEFINITION OF "WATER WELL DRILLER"; PRESCRIBING ADDITIONAL DUTIES AND POWERS OF THE BOARD; REQUIRING THE ADOPTION OF WATER WELL CONSTRUCTION STANDARDS; REQUIRING A LICENSE FOR WATER WELL DRILLERS; ~~INCREASING BOND REQUIREMENTS;~~ PROVIDING AN APPROPRIATION; AMENDING SECTIONS 37-43-102, 37-43-202, AND 37-43-302 THROUGH 37-43-306, MCA; REPEALING SECTION 37-43-103, MCA;AND PROVIDING AN EFFECTIVE DATE," without my signature and recommend the attached amendment for the following reasons.

Title 37, chapter 43, MCA, provides for the licensing of water well contractors and drillers. Section 37-43-103 provides that chapter 43 does not apply to the drilling of a well by a person who drills the well at his residence or his farming or ranching operations, if the person obtains a permit from the Board of Water Well Contractors. Section 37-43-103 further provides standards to guide the Board in issuing a permit. The Board must issue a permit if it finds that the applicant will drill the well on land he uses for domestic or agricultural purposes.

House Bill No. 739 repeals 37-43-103. Section 4(2) of the bill does, however, continue these domestic and agricultural exemptions from the well driller licensing requirement, if the applicant obtains a permit from the Board. Unfortunately, section 4(2), unlike 37-43-103, does not provide standards for the guidance of the Board in determining when a permit should be issued or denied. The granting of this unrestricted discretion to an administrative agency raises a serious question of whether the bill unlawfully delegates legislative authority to an executive agency.

My proposed amendment cures this possible defect by providing that the Board shall issue a permit for every well that it finds will be drilled on land that the applicant owns or leases and that he uses for farming, ranching, or agricultural purposes or as his residence.

I urge your concurrence in this amendment.

Governor's Proposed Amendments
to HB 739

1. Page 6.
Following: line 22
Insert: "(3)(a) To obtain a permit under subsection (2)(a), a person shall file with the department an application containing the applicant's name, mailing address, the location of the proposed well, the nature of the applicant's ownership interest in the property on which the well is to be drilled, and the use for the proposed well.

(b) The board shall promptly issue a permit if it finds that the applicant intends to drill the well on land that he owns or leases and that he uses for farming, ranching, or agricultural purposes or as his residence."

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bill concurred in and returned to the Senate: 4/20/85

SJR 33, introduced by Mohar, et al.

House bill passed and transmitted to the Senate for concurrence: 4/20/85

HJR 60, introduced by Ramirez, et al.

The House, on 4/20/85, acceded to the request of the Senate and appointed a conference committee to meet with a committee from the Senate to confer on House amendments to SB 449.

The Speaker appointed the following members:

Representative Bergene
Representative Eudaily
Representative Keenan
Representative Waldron

The House, on 4/20/85, failed to concur in Senate amendments to HB 430 and appointed a free conference committee, requesting that the Senate appoint a committee to confer on HB 430.

The Speaker appointed the following members:

Representative Bradley
Representative Kitselman
Representative Miles
Representative Rehberg

The House, on 4/20/85, dissolved the conference committee on Senate amendments to HB 681 and appointed a free conference committee.

The Speaker appointed the following members:

Representative J. Brown
Representative Keyser
Representative Spaeth
Representative Winslow

The House, on 4/20/85, failed to concur in Senate amendments to HB 873 and appointed a free conference committee, requesting that the Senate appoint a committee to confer on HB 873.

The Speaker appointed the following members:

Representative Fritz
Representative J.K. Moore
Representative Quilici
Representative Swift

Senate amendments to House bill concurred in: 4/20/85

HB 14, introduced by Asay

Governor's amendments to House bill concurred in: 4/20/85

HB 891, introduced by Addy, et al.

Conference committee reports adopted: 4/20/85

HB 438, conference committee report

HB 444, conference committee report

HB 885, conference committee report

Conference committee report rejected: 4/20/85

SB 427, conference committee report

Free conference committee report adopted: 4/20/85

HB 900, free conference committee report

MOTIONS

Senator Daniels moved that the rules be temporarily suspended for the following purpose: that if the Governor's amendments to SB 392 pass the Senate on second reading this legislative day, that the Governor's amendments to SB 392 be placed on third reading this legislative day. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Regan.
Total 1

Senator Van Valkenburg moved that the Senate recess, subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 10:19 a.m.

Senate reconvened at 11:24 a.m.

Senator Neuman excused at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Keating in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 182 - That House amendments to SB 182 be concurred in. Senator Van Valkenburg made a substitute motion that House amendments to SB 182 be placed below HB 224. Substitute motion carried unanimously.

SB 392 - That the Governor's amendments to SB 392 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens,

Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

HB 212 - Senator Van Valkenburg moved that HB 212 be placed below HB 473. Motion carried unanimously.

HB 754 - That HB 754 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

HB 901 - That HB 901 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

Senator Hager in the Chair.

HB 932 - That HB 932 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek,

McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 142 - That the free conference committee report on SB 142 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Goodover.
Total 1

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

HB 12 - That HB 12 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Conover, Crippen, Daniels, Haffey, Hager, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mohar, Regan, Smith, Stimatz, Towe, Van Valkenburg, Weeding, Yellowtail.
Total 27

Noes: Farrell, Gage, Galt, Goodover, Himsl, Pinsoneault, Severson, Shaw.
Total 8

Excused: Neuman.
Total 1

Absent or not voting: Boylan, Brown, Christiaens, Eck, Fuller, Halligan, Mazurek, McCallum, Stephens, Story, Thayer, Tveit, Williams, Mr. President.
Total 14

HB 224 - That HB 224 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

SB 182 - Senator Van Valkenburg moved that House amendments to SB 182 be placed below HB 270. Motion carried unanimously.

HB 270 - That HB 270 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Neuman.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Hager moved the adoption of the committee report. Report adopted.

Senators Christiaens, Eck, Fuller, Halligan, Mazurek, McCallum, Thayer, and Williams excused at this time.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

SB 392, Governor's amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Daniels, Farrell, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 41

Noes: None.
Total 0

Excused: Christiaens, Eck, Fuller, Halligan, Mazurek, McCallum, Neuman, Thayer, Williams.
Total 9

Absent or not voting: None.
Total 0

At the request of Senator Van Valkenburg, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate recess, subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 12:02 p.m.

Senate reconvened at 1:32 p.m.

Senators Christiaens, Eck, Fuller, Halligan, Mazurek, McCallum, Neuman, Thayer and Williams present at this time.

REPORTS OF STANDING COMMITTEES

FINANCE AND CLAIMS (Regan, Chairman): 4/22/85
HB 792, be concurred in. Report adopted.
HB 919, be concurred in. Report adopted.
HB 956, be concurred in. Report adopted.

TAXATION (Towe, Chairman): 4/20/85
HB 198, third reading copy, be amended as follows:

1. Page 5, line 25.
Following: "to"
Strike: "0%"
Insert: "5%"

And, as amended, be concurred in. Report adopted.

HB 410, third reading copy, be amended as follows:

1. Page 2, lines 12 through 19.
Strike: section 3 in its entirety
Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

HB 704, third reading copy, be amended as follows: 4/19/85

1. Title, line 7.
Following: "COUNTY"
Insert: ", MUNICIPALITY,"
Following: "OR"
Strike: "A"

2. Title, line 8.
Following: "LEVIES"
Insert: "IF THE TAXABLE VALUE OF SUCH PROPERTY UNDER PROTEST EXCEEDS 5 PERCENT OF THE TAXING JURISDICTION'S TAXABLE VALUATION"

3. Title, line 9.
Following: "COUNTY"
Insert: ", MUNICIPALITY,"

4. Title, line 11.
Following: "LEVIES;"
Insert: "REQUESTING THE REVENUE OVERSIGHT COMMITTEE TO CONSIDER THE ADVISABILITY OF CREATING A STATEWIDE PROTEST FUND;"

5. Title.

Following: line 11
Insert: "7-6-4232,"

6. Page 1, line 23.
Following: "year."
Strike: "The"
Insert: "Except as provided in subsection (2), the"

7. Page 2, lines 6 and 7.
Following: "which" on line 6
Strike: remainder of line 6 through line 7
Insert: "is the subject of a protest"

8. Page 2, line 10.
Following: "valuation"
Insert: "if the taxable value of such property remaining under protest exceeds 5% of the county's taxable valuation"

9. Page 2, line 21.
Following: "protest"
Strike: "."
Insert: ", except for statewide education and university mill levies. The county shall calculate such levies by crediting the revenue from released protest funds directly to the revenue section of the budget and not to the cash reserves. If the crediting of such revenue reduces to zero the amount necessary to be raised by tax levy, the county treasurer shall refund any excess protest fund revenue to the taxpayers. If a taxpayer is delinquent in the payment of prior taxes, the county may offset the delinquency rather than make a refund. A copy of the calculations made in fixing the tax levies under this subsection and calculations of any refunds must be delivered to the legislative auditor, the office of public instruction, and the department of revenue."

10. Page 2.
Following: line 23
Insert: "Section 2. Section 7-6-4232, MCA, is amended to read:

"7-6-4232. Fixing of tax levy. (1) On the second Monday in August and after the approval and adoption of the final budget, the council shall fix the tax levy for each fund at a rate, not exceeding limits prescribed by law, which will raise the amount set out in the budget as the amount necessary to be raised by tax levy for that fund during the current fiscal year. ~~The~~ Except as provided in subsections (2) and (4), the taxable valuation of the city for the current fiscal year shall be the basis for determining the amount of the tax levy for each fund, and each tax levy shall be at a rate no higher than is required on that basis, without including any amount for anticipated tax delinquency, to raise the amount set out in the budget.

(2) If the council considers that a levy made for a bond sinking or interest fund will not provide a sufficient amount to pay all bond principal and interest becoming due during the current fiscal year or within 6 months after the current fiscal year because of anticipated tax delinquency, the council may fix the levy at a rate it considers necessary to raise the amount for making the payments of principal and interest over and above the anticipated tax delinquency.

(3) Each levy shall be made in the manner provided by 15-10-201.

(4) (a) The taxable value of property which is the subject of a protest and which remains under protest on the first Monday in August

of the current year must be excluded from the city's taxable valuation if the taxable value of such property remaining under protest exceeds 5% of the city's taxable valuation in computing mill levies to fund the amounts necessary to be raised under the provisions of subsection (1).

(b) If tax money that was collected on property excluded under subsection (4)(a) is not required to be refunded to the taxpayer from the protest fund at the conclusion of a protest proceeding, such money shall be used to reduce subsequent property tax levies of the appropriate funds or levies from which it was previously withheld in protest. The city shall calculate such levies by crediting the revenue from released protest funds directly to the revenue section of the budget and not to the cash reserves. If the crediting of such revenue reduces to zero the amount necessary to be raised by tax levy, the city shall refund any excess protest fund revenue to the taxpayers. If a taxpayer is delinquent in the payment of prior taxes, the city may offset the delinquency rather than make a refund. A copy of the calculations made in fixing the tax levies under this subsection and calculations of any refunds must be delivered to the legislative auditor, the office of public instruction, and the department of revenue.""

Renumber: subsequent sections

11. Page 3, line 8.
Following: "the district"
Insert: ", except as provided in subsection (2),"

12. Page 3, lines 11 and 12.
Following: "which" on line 11
Strike: remainder of line 11 through line 12
Insert: "is the subject of the protest"

13. Page 3, line 15.
Following: "valuation"
Insert: "if the taxable value of such property remaining under protest exceeds 5% of the district's taxable valuation"

14. Page 3, lines 23 and 24.
Following: "levies" on line 23
Strike: "and may not be added to district reserves"
Insert: ". The district shall calculate such levies by crediting the revenue from released protest funds directly to the revenue section of the budget and not to the cash reserves. If the crediting of such revenue reduces to zero the amount necessary to be raised by tax levy, the county treasurer shall refund on behalf of the district any excess protest fund revenue to the taxpayers. If a taxpayer is delinquent in the payment of prior taxes, the county treasurer may offset the delinquency rather than make a refund. A copy of the calculations made in fixing the tax levies under this subsection and calculations of any refunds must be delivered to the legislative auditor, the office of public instruction, and the department of revenue."

15. Page 4, lines 12 and 13.
Following: "which" on line 12
Strike: remainder of line 12 through "15-8-115" on line 13
Insert: "is the subject of a protest"

16. Page 4, line 14.
Following: "year"
Insert: "if the taxable value of such property remaining under protest exceeds 5% of that taxing jurisdiction's taxable valuation"

17. Page 4.
Following: line 21
Insert: "NEW SECTION. Section 5. Revenue oversight committee consideration of advisability of statewide protest fund. The revenue oversight committee is requested to consider the advisability of creating a statewide protest fund for taxes paid under protest and to suggest procedures for payment into the fund, administration of the fund, payment of litigation costs associated with protests based on state law, and satisfaction from the fund of judgments against taxing jurisdictions. If the revenue oversight committee accepts this request, it shall report its findings and recommendations and any proposed legislation to the 50th legislature."
Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill No. 923
Report No. 1, April 19, 1985

Mr. President:

We, your Free Conference Committee on House Bill No. 923 met and considered:

House Bill No. 923.

We recommend as follows:

That House Bill No. 923, reference copy, be amended as follows:

1. Statement of intent.
Strike: lines 7 through 24 in their entirety
Insert: "The legislature intends by this bill to establish a basis for beginning to provide for the needs of the people of the state to be able to meet with and appear before the legislature in adequate committee rooms and ancillary facilities. To accomplish this goal, some functions and agencies currently occupying the capitol will be required to move to other quarters and some space will need to be renovated. By this bill and statement of intent, the legislature intends to provide sufficient guidance to the department of administration in executing its responsibilities for space management and renovation activities to enable an aggressive, well-planned, and flexible approach to the solution of the space problems in the capitol. The legislature expects tangible progress to be shown prior to the convening date of the 50th legislature, but recognizes that it will not be possible to see the entire renovation project completed by that time.

Section 1 of the bill provides a list of agencies and functions that must be provided with adequate space in the capitol. This list does not preclude agencies or functions not listed from continuing tenancy in the capitol should sufficient space be available after the required space for the listed tenants has been provided. In allocating space to tenants not listed in section 1, the department of administration should give priority to those agencies and functions that provide direct services to the legislature during legislative sessions. The department should also consider the desirability of maintaining agencies in unified quarters.

Section 1 requires that the two largest committee rooms be allocated one to each house. Under the configuration of the capitol during the 49th legislature, which is assumed to be similar in this respect during the 50th legislature, the two rooms involved are room 325, which was the former supreme court chamber, and room 312 II, which was the central portion of the former law library. It is intended further that legislative leadership will provide for an adequate and equitable allocation of designated committee rooms for the use of each house of the legislature. Such allocation shall include allocation to joint subcommittees of appropriations and finance and claims. During the transition session that the 50th legislature will represent, cooperation and consideration for the smooth operation of the legislature as a whole will be a paramount necessity in allocation of legislative space. In coordination with other existing statutes, this bill leaves the capitol building and planning committee in an advisory role to the department of administration, which has been the committee's traditional role. The legislature intends that the department of administration consult with the committee to determine what construction activities utilizing the capitol renovation appropriation funds are advisable. The legislature anticipates the likelihood that the following sorts of projects may be undertaken during the interim:

(1) room remodeling as required to fulfill the purposes of this act;

(2) completion of exterior restoration work including additional work discovered to be needed during the execution of the phase I project;

(3) building insulation;

(4) window replacement/repair to achieve thermal efficiency with historic sensitivity; and

(5) related projects.

It is not intended that any major renovation or restoration project involving major architectural, mechanical, or electrical work be undertaken at this time.

It is intended by the legislature that any work that is done on the capitol give consideration to maintaining and enhancing the historical fabric of the building both with regard to architectural and historical use of the building. Spaces required to be renovated to accomplish the purposes of this act shall be remodeled with sensitivity to the historical fabric of the space involved."

2. Title, lines 4 through 12.
Following: "TO" on line 4
Strike: remainder of line 4 through "2-17-103" on line 12
Insert: "PROVIDE FOR MATTERS RELATING TO THE OCCUPANCY AND RENOVATION OF THE CAPITOL; ASSURING ADEQUATE SPACE FOR LEGISLATIVE PURPOSES IN THE CAPITOL; AMENDING SECTIONS 2-15-221 AND 2-17-109, MCA; REPEALING SECTIONS 2-17-103 AND 2-17-110"

3. Page 1, line 15 through page 11, line 23.
Strike: everything following the enacting clause
Insert: "NEW SECTION. Section 1. Long-term plan for occupancy of the capitol. (1) It is the intent of the legislature that adequate space be provided in the capitol for the following agencies and functions:

(a) the legislature;

(b) the office of the governor;

(c) the office of budget and program planning;

(d) the office of the legislative council;

(e) the office of the legislative fiscal analyst;

(f) a print shop to serve the legislature;

(g) post office; and

(h) building custodial and support services.

(2) Space provided for the legislature must include the following, in addition to the chambers designated for each house to sit:

(a) not less than 17 committee rooms of which no committee room may be less than 400 square feet;

(b) individual office space for 14 legislative leaders;

(c) offices in reasonable proximity to committee rooms for 34 committee chairmen and secretaries;

(d) space for house and senate staff functions, including offices for the chief clerk of the house and the secretary of the senate and their respective staffs, the sergeant-at-arms of the two houses and their staffs, and the stenographic pool personnel of each house; and

(e) shared conference/office space for members of the legislature exclusive of those in leadership or chairmanship positions.

(3) Legislative leadership shall allocate legislative space to be used for the functions listed in subsection (2). Space to be used for conference/office purposes as provided in subsection (2)(e) shall be divided on a proportionate basis to be determined by the number of house of representatives members and the number of senate members.

(4) Each house of the legislature shall have allocated for its use one of the two largest committee hearing rooms in the capitol, which shall be approximately equal in size and quality.

NEW SECTION. Section 2. Capitol long-term occupancy implementation schedule — 1987 biennium. (1) The goal of the legislature is to accomplish that portion of the long-term plan for occupancy of the capitol provided in [section 1] as may be feasible during the 1987 biennium. To that end, the department of administration shall:

(a) provide for alternate quarters and remove from the capitol agencies and functions not listed in [section 1] as may be required to provide adequate space for those agencies and functions remaining in the capitol; and

(b) plan, let to contract, and begin to construct facilities designed to implement the long-term occupancy plan for the capitol.

(2) In executing its duties under this section, the department of administration shall endeavor to schedule work as best it can to coordinate with the regular session of the 50th legislature. This section does not require completion of all work prior to the convening of the session.

Section 3. Section 2-17-109, MCA, is amended to read:

"2-17-109. Remodeling and renovation — senate chambers and former supreme court chambers to be preserved. (1) Notwithstanding the provisions of Title 5, chapter 17, part 1, the department of administration shall proceed with the plans for the remodeling and renovation of the state capitol for which moneys ~~were~~ are appropriated ~~by the 47th legislature and reappropriated by the 48th legislature~~.

(2) In proceeding with such plans, the department of administration shall consult with the capitol building and planning committee provided for in 5-17-101; however, such plans and the implementation of such plans need not be reported to the ~~49th~~ legislature before implementation.

(3) The department of administration, in the implementation of such plans, shall keep and maintain the senate chambers in its present location.

(4) If future senate bodies should determine that the location of the senate chambers is to be moved, the department of administration shall keep and maintain the physical structure and location of the present senate chambers as a single room which shall be used for legislative purposes. Such room shall not be divided in any manner, and the artwork and height of the ceiling shall be maintained and preserved.

(5) The department of administration shall keep and maintain the physical structure and location of the supreme court chambers, which were occupied by the Montana supreme court until the new justice building was completed and dedicated in 1983, as a single room which shall be used for legislative committee purposes. Such room shall not be divided in any manner, and the artwork and height of the ceiling shall be maintained and preserved."

Section 4. Section 2-15-221, MCA, is amended to read:

"2-15-221. Governor-elect — staff and services provided. (1) As used in this section, unless the context clearly indicates otherwise, "governor-elect" means the person elected at a general election to the office of governor who is not the incumbent governor.

(2) The department of administration shall provide the governor-elect and his necessary staff with suitable office space ~~in the capitol building~~, together with furnishings, supplies, equipment, and telephone service for the period between the general election and the inauguration.

(3) The governor-elect may obtain the assistance of persons of his own choosing, between the general election and inauguration, and they shall receive reasonable compensation for their services. These persons shall be state employees, but they shall not be subject to any civil service or personnel laws or rules of the state.

(4) In addition, the governor-elect may request that the department of administration assign one or more employees of the department of administration to assist the governor-elect and his staff in the study and interpretation of information. Employees of the department of administration shall be assigned for the time necessary between the general election and the inauguration.

(5) The funds necessary to carry out the provisions of this section shall be included in the appropriation request of the department of administration to the legislature meeting in regular session immediately prior to a general election when a governor will be chosen."

NEW SECTION. Section 5. Repealer. Sections 2-17-103 and 2-17-110, MCA, are repealed.

NEW SECTION. Section 6. Effective date. This act is effective on passage and approval."

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Norman, Chairman	
Van Valkenburg	Keyser
Stephens	Marks

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

SJR 38 failed to meet the 45-day transmittal deadline, pursuant to Joint Rule 6-34, and was returned to the Senate.

MOTIONS

Senator Van Valkenburg moved that the President be empowered to appoint a free conference committee to meet with a committee from the House of Representatives to confer on HB 924. Motion carried unanimously.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Hager in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 182 - That House amendments to SB 182 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Crippen, Farrell, Fuller, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lybeck, McCallum, Mohar, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 35

Noes: Christiaens, Conover, Eck, Haffey, Halligan, Jacobson, Lane, Lynch, Manning, Mazurek, Neuman, Regan, Towe, Yellowtail.
Total 14

Excused: None.
Total 0

Absent or not voting: Daniels.
Total 1

HB 473 - That HB 473, third reading copy, be amended as follows:

1. Page 4, line 3.
Following: "means"

Strike: ":"

2. Page 4, line 4.
Strike: "(i)"

3. Page 4, line 8.
Following: "Montana"
Strike: "; and"
Insert: "."

4. Page 4.
Following: line 8
Strike: subsection (ii) in its entirety

Amendment failed as follows:

Ayes: Anderson, Brown, Farrell, Fuller, Hager, Himsl, Jacobson, Lynch, Manning, Shaw, Smith, Stimatz, Story, Thayer, Weeding, Williams.
Total 16

Noes: Aklestad, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Hirsch, Keating, Kolstad, Lane, Lybeck, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Stephens, Towe, Tveit, Van Valkenburg, Yellowtail.
Total 33

Excused: None.
Total 0

Absent or not voting: Mr. President.
Total 1

That HB 473 be concurred in. Motion failed as follows:

Ayes: Boylan, Christiaens, Farrell, Galt, Goodover, Hammond, Harding, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Pinsoneault, Severson, Smith, Stimatz, Story, Williams.
Total 19

Noes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Conover, Crippen, Daniels, Eck, Fuller, Gage, Haffey, Hager, Halligan, Himsl, Hirsch, Keating, Mazurek, McCallum, Mohar, Neuman, Regan, Shaw, Stephens, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 31

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that HB 473 be indefinitely postponed. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Conover, Crippen, Daniels, Eck, Fuller, Gage, Haffey, Hager, Halligan, Himsl, Hirsch, Keating, Lane, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Shaw, Stephens, Thayer, Towe, Tveit, Van Valkenburg, Yellowtail, Mr. President.
Total 31

Noes: Boylan, Christiaens, Farrell, Galt, Goodover, Hammond, Harding, Jacobson, Kolstad, Lybeck, Lynch, Manning, Mohar, Severson, Smith, Stimatz, Story, Weeding, Williams.

Total 19

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 212 - That HB 212, third reading copy, be amended as follows:

1. Title, line 12.
Following: "EDUCATION"
Insert: "; TO APPROPRIATE FUNDS TO SCHOOL DISTRICT NO. 10, DEER LODGE COUNTY, AND HIGH SCHOOL DISTRICT NO. 10, DEER LODGE COUNTY, FROM THE STATE EQUALIZATION AID ACCOUNT TO COMPENSATE FOR A SIGNIFICANT DECLINE IN ENROLLMENT AND TAXABLE VALUATION OVER THE PREVIOUS 5 YEARS"

2. Page 1.
Following: line 25
Insert: "Section 3. Appropriation to Deer Lodge County school districts. There is appropriated $281,000 from the state equalization aid account, state special revenue fund, for the biennium ending June 30, 1987, to certain Deer Lodge County school districts to compensate for a significant decline in school enrollment and a 25% decline in school district taxable valuation over the previous 5 years, to be allocated in the following manner:

	1985-86	1986-87
School District No. 10		
Deer Lodge County	$115,000	$ 8,000
High School District No. 10		
Deer Lodge County	127,000	31,000
Total	$242,000	$ 39,000"

Amendment passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Halligan, Harding, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Regan, Severson, Stephens, Stimatz, Van Valkenburg, Yellowtail, Mr. President.
Total 33

Noes: Aklestad, Goodover, Hager, Hammond, Himsl, Keating, McCallum, Pinsoneault, Shaw, Smith, Story, Thayer, Towe, Tveit, Weeding.
Total 15

Excused: None.
Total 0

Absent or not voting: Boylan, Williams.
Total 2

That HB 212, third reading copy, be further amended as follows:

1. Page 1, line 21.
Strike: "$53,983,000"
Insert: "$32,560,000"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 212, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 632 - That HB 632 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 633 - That HB 633, third reading copy, be amended as follows:

1. Page 2, line 1.
Following: "financially"
Strike: "support"

Insert: "contribute to"

2. Page 2, line 13.
Following: "~~COST,~~"
Insert: ", not to exceed $48 per parcel,"

3. Page 2, line 19.
Following: "~~subdivisions~~"
Insert: "used for review of plats and subdivisions"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 633, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Hammond.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 861 - That HB 861, third reading copy, be amended as follows:

1. Title, line 10.
Following: "PARKS"
Insert: "AND THE BOARD OF REGENTS"

2. Page 3.
Following: line 19
Insert: "There is appropriated from the capital projects fund to the board of regents the sum of $1,400,000 for the purpose of financing the costs of construction and equipping a swimming pool addition to the physical education facility at western Montana college. This appropriation is contingent upon the authorization and sale

of general obligation bonds for the project by the board of examiners as authorized by [section 8]."

3. Page 5.
Following: line 22
Insert: "Section 10. Agreement with the board of regents. For the proceeds of bonds or notes authorized and appropriated by this act for the construction of the swimming facility at western Montana college, the board of examiners and the board of regents may enter into an agreement under the terms of which the regents shall pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes from which the appropriation was made and to accumulate and maintain reserves required under such bonds. The agreement must further provide that income from the investment of bond proceeds and the reserves not required for construction or renovation costs must be credited against the regents' payment obligation. The agreement must also allow for the accumulation of reserves during the first year the bonds are outstanding. Payments by the regents must be made from available funds."
Renumber: subsequent sections

4. Page 5, line 23.
Strike: "agreement"
Insert: "agreements"

5. Page 5, line 24.
Strike: "section"
Insert: "sections"
Following: "9"
Insert: "and 10"
Strike: "is"
Insert: "are"

6. Page 5, line 25.
Strike: "is"
Insert: "are"

7. AMEND SENATE FINANCE AND CLAIMS COMMITTEE REPORT OF APRIL 19 ON HOUSE BILL NO. 861 AS FOLLOWS:
Amendment No. 1
Following: "[section 5]"
Strike: "and"
Insert: ","
Following: "No. 224" of inserted material
Insert: ", and $1,400,000 for the construction of the swimming pool addition to the physical education facility at western Montana college,"

8. Page 6, lines 23 and 24.
Following: "SECTIONS 9 AND"
Strike: "12"
Insert: "13"

Amendment passed as follows:

Ayes: Anderson, Bengtson, Boylan, Brown, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lynch, McCallum, Mohar, Neuman, Pinsoneault, Severson, Stephens, Stimatz, Thayer, Tveit, Williams.

Total 32

Noes: Blaylock, Christiaens, Halligan, Keating, Lybeck, Manning, Regan, Smith, Story, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 14

Excused: None.
Total 0

Absent or not voting: Aklestad, Conover, Mazurek, Shaw.
Total 4

Senator Lybeck excused at this time.

That HB 861, third reading copy, be further amended as follows:

1. Title, line 10.
Following: "PARKS"
Insert: "AND THE BOARD OF REGENTS"

2. Page 3.
Following: line 19
Insert: "There is appropriated from the capital projects fund to the board of regents an amount not to exceed:

Montana State University	
Engineering/Physical Science Complex	$13,000,000
University of Montana	
Business Administration Building	$11,960,000
Eastern Montana College	
Classroom/Office Tower Planning	$300,000
Northern Montana College	
Multi-use Tech Building Planning	$200,000

This appropriation is contingent upon the authorization and sale of general obligation bonds for the projects by the board of examiners as authorized by [section 8] hereof. However, no general obligation bonds may be sold pursuant to this authorization until 60 days after notice of such proposed sale has been given to the legislative finance committee."

3. Page 5.
Following: line 22
Insert: "Section 10. Agreement with the board of regents. For the proceeds of bonds or notes authorized and appropriated by this act for the projects of the board of regents, the board of examiners and the board of regents may enter into an agreement under the terms of which the regents shall pay the state treasurer an amount when combined with other funds specifically dedicated to university system debt service, that will be sufficient to pay the principal and interest as due on the bonds or notes and to accumulate and maintain reserves required under such bonds. Such amount, as determined by the state treasurer, shall be deposited in accordance with 17-2-101 through 17-2-107, MCA. The agreement must further provide that income from the investment on bond proceeds and the reserves not required for construction or renovation costs must be credited against the regents' payment obligation. The agreement must also allow for the accumulation of reserves."

Amendment failed as follows:

Ayes: Anderson, Boylan, Crippen, Eck, Fuller, Haffey, Halligan, Kolstad, Lane, McCallum, Stephens, Story, Van Valkenburg.
Total 13

Noes: Aklestad, Bengtson, Blaylock, Brown, Christiaens, Daniels, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lynch, Manning, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stimatz, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 33

Excused: Lybeck.
Total 1

Absent or not voting: Conover, Mazurek, Shaw.
Total 3

That HB 861, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Blaylock.
Total 1

Excused: Lybeck.
Total 1

Absent or not voting: None.
Total 0

HB 909 - That HB 909 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Lybeck.
Total 1

Absent or not voting: None.
Total 0

HB 928 - Senator Van Valkenburg moved that consideration on HB 928 be passed. Motion carried unanimously.

HB 938 - Senator Van Valkenburg moved that consideration on HB 938 be passed. Motion carried unanimously.

HB 942 - That HB 942 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Neuman.
Total 1

Excused: Lybeck.
Total 1

Absent or not voting: None.
Total 0

Senator Brown in the Chair.

HB 949 - That HB 949 be concurred in. Senator Towe made a substitute motion that consideration on HB 949 be passed. Substitute motion carried as follows:

Ayes: Boylan, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Himsl, Hirsch, Kolstad, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Stephens, Stimatz, Towe, Van Valkenburg, Weeding, Yellowtail.
Total 23

Noes: Aklestad, Anderson, Bengtson, Blaylock, Crippen, Farrell, Gage, Goodover, Hammond, Harding, Jacobson, Keating, Lane, Lynch, McCallum, Regan, Severson, Shaw, Story, Thayer, Tveit, Williams.
Total 22

Excused: Lybeck.
Total 1

Absent or not voting: Hager, Galt, Smith, Mr. President.
Total 4

Senator Hager in the Chair.

HB 952 - That HB 952 be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Halligan, Hammond, Harding, Himsl, Jacobson, Manning, Mazurek, McCallum, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 36

Noes: Daniels, Hager, Keating, Lane, Mohar, Neuman, Shaw, Story.
Total 8

Excused: Lybeck.
Total 1

Absent or not voting: Aklestad, Haffey, Hirsch, Kolstad, Lynch.
Total 5

HJR 41 - That HJR 41 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Lybeck.
Total 1

Absent or not voting: None.
Total 0

HJR 44 - That HJR 44 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Lybeck.
Total 1

Absent or not voting: None.
Total 0

HJR 45 - That HJR 45 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Lybeck.
Total 1

Absent or not voting: None.
Total 0

HJR 48 - That HJR 48 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum,

Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Daniels, Mohar, Neuman.
Total 3

Excused: Lybeck.
Total 1

Absent or not voting: None.
Total 0

HJR 55 - That HJR 55 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Daniels.
Total 1

Excused: Lybeck.
Total 1

Absent or not voting: None.
Total 0

HJR 56 - That HJR 56 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Daniels.
Total 1

Excused: Lybeck.
Total 1

Absent or not voting: None.
Total 0

SB 268 - That the Governor's amendments to SB 268 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 49

Noes: None.
Total 0

Excused: Lybeck.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Hager moved the adoption of the committee report. Report adopted.

At the request of Senator Van Valkenburg, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate recess until 5:15 p.m. Motion carried unanimously.

Senate recessed at 5:04 p.m.

Senate reconvened at 5:15 p.m.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill No. 110
Report No. 1, April 22, 1985

Mr. President:

We, your Free Conference Committee on Senate Bill No. 110 met and considered:

Senate Bill No. 110.

We recommend as follows:

That Senate Bill No. 110, reference copy, be amended as follows:

1. Page 2, line 22.
Following: "COMPANIES;"
Strike: "AND"

2. Page 2.
Following: line 22
Insert: "(c) any contract by an individual for the acquisition of real or personal property, services, or money or credit where the total consideration to be paid or furnished by the individual is $35,000 or less; and"
Renumber: subsequent subsection

And that this Free Conference Committee report be adopted.

For the Senate:

Mazurek, Chairman
Towe
Crippen

For the House:

Addy
Cobb
Rapp-Svrcek
Mercer

Free Conference Committee
on House Bill No. 616
Report No. 1, April 22, 1985

Mr. President:

We, your Free Conference Committee on House Bill No. 616 met and considered:

Senate Taxation Committee report, March 27, 1985, and Mazurek's amendments, March 29, 1985.

We recommend as follows:

That House Bill No. 616, reference copy, be amended as follows:

1. Page 2.
Following: line 9
Insert: "(1) "Appointing authority" means the mayor in the case of a municipality, the board of county commissioners in the case of a county, or the chief executive of a consolidated city-county government."
Renumber: subsequent subsections

2. Page 2, lines 14 through 18.
Strike: subsection (3) in its entirety
Renumber: subsequent subsections

3. Page 5, lines 13 through 17.
Strike: subsection (3) in its entirety
Insert: "(3) No further action shall be taken upon the proposed district for 1 year if a written protest against passage of the proposed ordinance is filed by:

(a) owners of property within the proposed district having a taxable valuation, when aggregated, representing not less than 50% of the total taxable valuation of property within the district;

(b) not less than 50% of the owners of property within the district; or

(c) owners of property within the proposed district having projected assessments, when aggregated, representing not less than 50% of the total projected assessments for property within the district."

4. Page 6, line 7.
Strike: "chief executive officer"
Insert: "appointing authority"

5. Page 7, lines 5 and 6.
Strike: "chief executive officer"
Insert: "appointing authority"

6. Page 7, line 8.
Strike: "chief executive officer"
Insert: "appointing authority"

7. Page 9, line 25.
Following: "SHALL"
Insert: "annually"

And that this Free Conference Committee report be adopted.

For the Senate: For the House:

Mazurek, Chairman
Halligan
Hager

J. Brown
Hannah
Ramirez
Schye

Free Conference Committee
on House Bill No. 717
Report No. 1, April 19, 1985

Mr. President:

We, your Free Conference Committee on House Bill No. 717 met and considered:

House Bill No. 717.

We recommend as follows:

That House Bill No. 717, reference copy, be amended as follows:

1. Page 3, lines 22 and 23.
Following: "court" on line 22
Strike: remainder of line 22 through "and" on line 23

2. Page 5, line 4.
Following: "~~parents~~"
Insert: "(1) Upon application of either parent or both parents for joint custody, the court shall consider whether or not joint custody is in the best interests of a minor child. If the court declines to enter an order awarding joint custody, the court shall state in its decision the reasons for denial of an award of joint custody.

(2) For the purposes of this section, "joint custody" means an order awarding custody of the minor child to both parents and providing that the residency of the child shall be shared by the parents in such a way as to assure the child frequent and continuing (but not necessarily equal) contact with both parents."
Renumber: subsequent subsections

And that this Free Conference Committee report be adopted.

For the Senate:

Yellowtail, Chairman
Pinsoneault
McCallum

For the House:

Bradley
Iverson
Jenkins
Waldron

Free Conference Committee
on House Bill No. 873
Report No. 1, April 22, 1985

Mr. President:

We, your Free Conference Committee on House Bill No. 873 met and considered:

Senate Finance and Claims Report, April 12, 1985.

We recommend as follows:

That House Bill No. 873, reference copy, be amended as follows:

1. Page 5, line 17.
Strike: "$238,220"

Insert: "$119,110"

2. Page 5, line 20.
Strike: "(3)"
Insert: "(4)"

3. Page 5.
Following: line 21
Insert: "(2) an amount not to exceed $119,110 on loan from the junk vehicle disposal account, to be repaid from the revenues raised under subsection (4) by June 30, 1987;"
Renumber: subsequent subsection

4. Page 6.
Strike: lines 6 and 7 in their entirety
Renumber: subsequent sections

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Bengtson, Chairman	Fritz
Haffey	J. Moore
Himsl	Quilici
	Swift

MOTIONS

In accordance with the motion made and carried on April 22, 1985, the President appointed the following members to the free conference committee on HB 924:

Senator Neuman, Chairman
Senator Lybeck
Senator Goodover

In accordance with the motion made and carried on April 20, 1985, the President appointed the following members to the free conference committee on HB 430:

Senator Pinsoneault, Chairman
Senator Mazurek
Senator McCallum

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Hager in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 375, HB 922, HB 947 - Senator Van Valkenburg moved that consideration on HB 375, HB 922, and HB 947 be passed. Motion carried unanimously.

SB 215 - That the conference committee report on House amendments to SB 215 be adopted. Motion carried as follows:

Ayes: Anderson, Blaylock, Christiaens, Daniels, Eck, Fuller, Haffey, Halligan, Jacobson, Keating, Lane, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 25

Noes: Aklestad, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Thayer, Tveit.
Total 20

Excused: Lybeck.
Total 1

Absent or not voting: Bengtson, Conover, Hirsch, Story.
Total 4

SB 427 - That the conference committee report on House amendments to SB 427 be not adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 38

Noes: Goodover, Hager, Shaw, Thayer.
Total 4

Excused: Lybeck.
Total 1

Absent or not voting: Bengtson, Conover, Crippen, Halligan, Himsl, Story, Tveit.
Total 7

HB 438 - That the conference committee report on Senate amendments to HB 438 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Lybeck.
Total 1

Absent or not voting: None.
Total 0

HB 444 - That the conference committee report on Senate amendments to HB 444 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 49

Noes: None.
Total 0

Excused: Lybeck.
Total 1

Absent or not voting: None.
Total 0

SB 33 - That the free conference committee report on SB 33 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Lybeck.
Total 1

Absent or not voting: None.
Total 0

SB 119 - That the free conference committee report on SB 119 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Lybeck.
Total 1

Absent or not voting: None.
Total 0

SB 221 - That the free conference committee report on SB 221 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Keating.
Total 1

Excused: Lybeck.
Total 1

Absent or not voting: None.
Total 0

HB 681 - That the free conference committee report on HB 681 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 47

Noes: Mazurek, Yellowtail.
Total 2

Excused: Lybeck.
Total 1

Absent or not voting: None.
Total 0

HB 686 - Senator Jacobson moved that consideration on the free conference committee on HB 686 be passed. Motion carried unanimously.

SJR 42 - That SJR 42 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Lybeck.
Total 1

Absent or not voting: None.
Total 0

SJR 43 - That SJR 43 do pass. Motion carried as follows:

Ayes: Bengtson, Blaylock, Boylan, Daniels, Eck, Fuller, Haffey, Hirsch, Jacobson, Lane, Lynch, Manning, Mazurek, Mohar, Neuman, Regan, Severson, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 24

Noes: Aklestad, Anderson, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Shaw, Stephens, Thayer, Tveit.

Total 19

Excused: Lybeck.
Total 1

Absent or not voting: Christiaens, Conover, Halligan, Pinsoneault, Smith, Story.
Total 6

HJR 43 - That HJR 43 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Boylan.
Total 1

Excused: Lybeck.
Total 1

Absent or not voting: None.
Total 0

HJR 50 - That HJR 50 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Boylan.
Total 1

Excused: Lybeck.
Total 1

Absent or not voting: None.
Total 0

HJR 52 - That HJR 52 be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Harding, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Neuman, Regan, Severson, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 35

Noes: Aklestad, Goodover, Halligan, Hammond, Himsl, Hirsch, Mohar, Van Valkenburg.
Total 8

Excused: Lybeck.
Total 1

Absent or not voting: Christiaens, Conover, Galt, Pinsoneault, Shaw, Story.
Total 6

SB 25 - Senator Towe moved that consideration on Governor's amendments to SB 25 be passed. Motion carried unanimously.

HB 114 - That the Governor's amendments to HB 114 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Lybeck.
Total 1

Absent or not voting: None.
Total 0

HB 497 - That the Governor's amendments to HB 497 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Lybeck.
Total 1

Absent or not voting: None.
Total 0

HB 891 - That the Governor's amendments to HB 891 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Lybeck.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Hager moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 5.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The House, on 4/22/85, failed to concur in Senate amendments to HB 500 and appointed a free conference committee, requesting that the Senate appoint a committee to confer on HB 500.

The Speaker appointed the following members:

Representative Bardanouve
Representative Marks
Representative Ramirez
Representative Waldron

MOTIONS

Senator Regan moved that the President be authorized to dissolve the conference committee on House amendments to SB 449 and that he be authorized to appoint a free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Regan, Chairman
Senator Mazurek
Senator Galt

Senator Conover excused at this time.

Senator Manning moved that the Senate temporarily suspend the rules and reconsider its action in failing to concur in House amendments to SB 427 on 4/3/85. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 35

Noes: Aklestad, Crippen, Galt, Goodover, Hager, Hammond, McCallum, Severson, Shaw, Smith, Stephens, Tveit.
Total 12

Excused: Conover, Lybeck.
Total 2

Absent or not voting: Story.
Total 1

Senator Hirsch moved that the President be authorized to dissolve the conference committee on House amendments to SB 431 and that he be

authorized to appoint a free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Hirsch, Chairman
Senator Mazurek
Senator McCallum

Senator Fuller moved that the President be authorized to dissolve the conference committee on Senate amendments to HB 727 and that he be authorized to appoint a free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Fuller, Chairman
Senator Eck
Senator McCallum

Senator Van Valkenburg moved that the rules be temporarily suspended for the purpose of placing SJR 42 and SJR 43 on third reading this legislative day. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Boylan, Goodover, Shaw, Tveit.
Total 4

Excused: Conover, Lybeck.
Total 2

Absent or not voting: None.
Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 142, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 42

Noes: Goodover, Hammond, Shaw, Smith, Thayer, Tveit.
Total 6

Excused: Conover, Lybeck.
Total 2

Absent or not voting: None.
Total 0

SB 215, conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Keating, Lane, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 37

Noes: Boylan, Galt, Goodover, Hammond, Himsl, Kolstad, McCallum, Shaw, Smith, Thayer, Tveit.
Total 11

Excused: Conover, Lybeck.
Total 2

Absent or not voting: None.
Total 0

HB 438, conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Hammond, Shaw.
Total 2

Excused: Conover, Lybeck.
Total 2

Absent or not voting: None.
Total 0

HB 444, conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Shaw.
Total 1

Excused: Conover, Lybeck.
Total 2

Absent or not voting: None.
Total 0

SB 33, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson,

Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Neuman.
Total 1

Excused: Conover, Lybeck.
Total 2

Absent or not voting: None.
Total 0

SB 119, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Shaw.
Total 1

Excused: Conover, Lybeck.
Total 2

Absent or not voting: None.
Total 0

SB 221, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Goodover, Keating, Shaw, Thayer.
Total 4

Excused: Conover, Lybeck.
Total 2

Absent or not voting: None.
Total 0

HB 681, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 45

Noes: Hammond, Neuman, Weeding.
Total 3

Excused: Conover, Lybeck.
Total 2

Absent or not voting: None.
Total 0

SJR 42 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 41

Noes: Aklestad, Boylan, Daniels, Hammond, Himsl, Pinsoneault, Shaw.
Total 7

Excused: Conover, Lybeck.
Total 2

Absent or not voting: None.
Total 0

SJR 43 failed to pass as follows:

Ayes: Anderson, Blaylock, Christiaens, Daniels, Eck, Farrell, Fuller, Haffey, Hirsch, Jacobson, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Stimatz, Towe, Van Valkenburg, Yellowtail, Mr. President.
Total 23

Noes: Aklestad, Bengtson, Boylan, Brown, Crippen, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Keating, Kolstad, Lane, McCallum, Shaw, Smith, Stephens, Story, Thayer, Tveit, Weeding, Williams.
Total 25

Excused: Conover, Lybeck.
Total 2

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 3.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill No. 236
Report No. 1, April 22, 1985

Mr. President:

We, your Free Conference Committee on House Bill No. 236 met and considered:

House Bill No. 236.

We recommend as follows:

That House Bill No. 236, reference copy, be amended as follows:

1. Title, line 13.
Following: "DATES"
Insert: "AND A TERMINATION DATE"

2. Page 1, line 18.
Following: "through"
Strike: "11"
Insert: "12"

3. Page 1.
Following: line 21
Strike: "11"
Insert: "12"

4. Page 2, line 4.
Following: "placement"
Insert: "and operation"
Following: "in"
Strike: "a"
Insert: "the"

4a. Page 2, line 5.
Following: "establishment"
Insert: "of the individual, partnership, or corporation"

5. Page 2, line 9.
Following: "through"
Strike: "11"
Insert: "12"

6. Page 2.
Following: line 14
Insert: "(5) "Used video draw poker machine" means a video draw poker machine, as that term is defined in this section, which is owned or possessed by an applicant on the day he applies for a license for the used machine and which was owned or operated in the state prior to February 3, 1984."

7. Page 2, line 22.
Following: "through"
Strike: "11"
Insert: "12"

8. Page 3, line 15.
Following: "player"
Strike: "must"
Insert: "may"

9. Page 6, line 13.
Following: "subsection"
Strike: "(1)"
Insert: "(m)"

10. Page 7, line 1.
Following: "for"
Insert: "each"
Following: "poker"
Strike: "machines"
Insert: "machine"

11. Page 7, line 9.

Following: "EXCEED"
Strike: "$500"
Insert: "$1,000"

12. Page 7, line 12.
Following: the second "through"
Strike: "11"
Insert: "12"

13. Page 7, line 14.
Following: the second "through"
Strike: "11"
Insert: "12"

14. Page 7, line 25.
Following: "through"
Strike: "11"
Insert: "12"

15. Page 8, lines 2 and 3.
Following: "who" on line 2
Strike: remainder of line 2 through "license" on line 3
Insert: "has been granted a license under 16-4-401(2)"

16. Page 8, line 5.
Following: "in"
Strike: "a"
Insert: "his"

17. Page 8, lines 20 and 21.
Following: "the"
Strike: "legal age for consuming or possessing alcoholic beverages"
Insert: "age of 18 years"

18. Page 9, line 6.
Strike: "$2,000"
Insert: "$1,500"
Following: "deposit"
Strike: "25%"
Insert: "one-third"

19. Page 9, line 7.
Following: "fund"
Insert: ", except that it may retain up to 8% of that one-third to administer [sections 1 through 5 and 7 through 12],"
Following: "forward"
Strike: "75%"
Insert: "two-thirds"

20. Page 9, line 17.
Following: "through"
Strike: "11"
Insert: "12"

21. Page 9.
Following: line 21
Strike: "11"
Insert: "12"

22. Page 10, line 2.
Following: the second "through"
Strike: "11"

Insert: "12"

23. Page 10.
Following: line 18
Insert: "Section 12. Used video draw poker machines. A used video draw poker machine may be licensed under [section 10] without meeting the requirements of [subsections (4)(j), (4)(k), and (4)(o) of section 3] if the applicant for licensure can establish to the satisfaction of the department that, on the date of application, he owns or possesses a machine which was owned or operated in the state prior to February 3, 1984. A license issued under this section expires 1 year from the date of issuance or on July 1, 1987, whichever occurs first."
Renumber: subsequent section

24. Page 10.
Following: line 24
Insert: "(3) Section 12 terminates July 1, 1987."

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Christiaens, Chairman	
Halligan	Pavlovich
Thayer	Mercer
	Spaeth

MOTIONS

Senator Van Valkenburg moved that the Senate reconsider its action in failing to pass SJR 43 on third reading this legislative day. Motion failed as follows:

Ayes: Bengtson, Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 25

Noes: Aklestad, Anderson, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, Lane, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams.
Total 25

Paired: Conover, Lybeck, Ayes; Crippen, Stephens, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the Senate adjourn until 9:00 a.m., April 23, 1985.

Motion carried.

Senate adjourned at 6:29 p.m

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

EIGHTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
April 23, 1985

Senate Chambers
State Capitol

Senate convened at 9:06 a.m., President Norman presiding. Invocation by the Chaplain, Pastor Monsen. Pledge of Allegiance to the Flag.

Roll call. All members present except Conover, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the eighty-seventh legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 4/18/85
Examined by the sponsor (Mazurek) and found to be correct: SB 250.
Examined by the sponsor (Towe) and found to be correct: SB 26.
4/20/85
Examined by the sponsor (Fuller) and found to be correct: SB 109.
Examined by the sponsor (Towe) and found to be correct: SJR 22.
Examined by the sponsor (Brown) and found to be correct: SJR 32.
Correctly enrolled: SB 26, SB 109, SB 204, SB 361, SB 452, SB 462, SB 250, SJR 22, SJR 32. 4/22/85
Examined by the sponsor (Mazurek) and found to be correct: SB 204.
Examined by the sponsor (Eck) and found to be correct: SB 452.
Examined by the sponsor (Haffey) and found to be correct: SB 361.
Examined by the sponsor (Gage) and found to be correct: SB 462.
Signed by the President at 5:00 p.m., 4/22/85: SB 26, SB 109, SB 204, SB 250, SB 361, SB 452, SB 462, SJR 22, SJR 32.

Report adopted.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bill concurred in and returned to the Senate: 4/22/85

SB 291, introduced by H. Hammond, et al.

Senate bills concurred in as amended and returned to the Senate for concurrence in House amendments: 4/22/85

SB 370, introduced by Van Valkenburg, McCallum

SJR 36, introduced by E. Smith, et al.

House bills passed and transmitted to the Senate for concurrence: 4/22/85

HB 240, introduced by Ramirez, et al.

HB 959, introduced by Keyser, Harper

HJR 4, introduced by Sands

HJR 61, introduced by Hannah, et al.

Senate amendments to House bills concurred in: 4/22/85

HB 168, introduced by Asay, et al.

HB 206, introduced by Bardanouve

HB 344, introduced by Manuel

HB 625, introduced by Cohen

HB 636, introduced by Abrams, et al.

HB 696, introduced by Kitselman, et al.

HB 701, introduced by Fritz, et al.

HB 843, introduced by Appropriations Committee

HB 869, introduced by Menahan, et al.

HJR 54, introduced by Winslow, Bradley

Free conference committee reports adopted: 4/22/85

SB 33, free conference committee report

SB 119, free conference committee report

Governor's amendments to Senate bill concurred in and returned to the Senate: 4/22/85

SB 325, introduced by Van Valkenburg

Governor's amendments to House bills concurred in and returned to the Senate for concurrence in Governor's amendments: 4/22/85

HB 550, introduced by J. Brown, et al.

HB 567, introduced by Schultz, et al.

HB 798, introduced by Miles, Krueger

The House, on 4/22/85, acceded to the request of the Senate and appointed a free conference committee to meet with a committee from the Senate to confer on SB 390.

The Speaker appointed the following members:

Representative Gilbert
Representative Nathe
Representative Poff
Representative Schye

The House, on 4/22/85, dissolved the conference committee on Senate amendments to HB 727 and appointed a free conference committee.

The Speaker appointed the following members:

Representative Brandewie
Representative Brown
Representative Kitselman
Representative Miles

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 12 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Crippen, Daniels, Eck, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 43

Noes: Boylan, Farrell, Goodover, Himsl, Severson, Shaw.
Total 6

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HB 212 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Pinsoneault.
Total 1

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HB 224 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HB 270 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Mohar, Neuman.
Total 2

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HB 632 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HB 633 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Boylan, Hammond.
Total 2

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

Senator Blaylock excused at this time.

HB 754 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Shaw.
Total 1

Excused: Blaylock, Conover.
Total 2

Absent or not voting: None.
Total 0

Senator Blaylock present at this time.

HB 861 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Blaylock, Christiaens, Goodover, Himsl, Mohar, Shaw.
Total 6

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HB 901 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Neuman.
Total 1

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HB 909 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HB 932 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Himsl.
Total 1

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HB 942 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Neuman, Shaw.
Total 2

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HB 952 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Hager.
Total 1

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

Senator Blaylock excused at this time.

HJR 41 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan,

Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Blaylock, Conover.
Total 2

Absent or not voting: None.
Total 0

Senator Blaylock present at this time.

HJR 43 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HJR 44 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Himsl, Hirsch, Mohar, Shaw, Smith, Thayer.
Total 6

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HJR 45 concurred in as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson,

Stephens, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 39

Noes: Bengtson, Goodover, Himsl, Keating, Mohar, Shaw, Smith, Story, Thayer, Tveit.
Total 10

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HJR 48 concurred in as follows:

Ayes: Anderson, Bengtson, Boylan, Brown, Christiaens, Crippen, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 39

Noes: Aklestad, Blaylock, Daniels, Goodover, Hirsch, Keating, Mohar, Shaw, Story, Thayer.
Total 10

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HJR 50 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Crippen, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 41

Noes: Boylan, Daniels, Goodover, Kolstad, Mohar, Shaw, Story, Weeding.
Total 8

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HJR 52 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Crippen, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Thayer, Towe, Weeding, Williams, Yellowtail, Mr. President.
Total 37

Noes: Aklestad, Boylan, Daniels, Goodover, Hammond, Himsl, Keating, Mohar, Shaw, Story, Tveit, Van Valkenburg.

Total 12

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HJR 55 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Crippen, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Lane, Lybeck, Lynch, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 37

Noes: Christiaens, Daniels, Goodover, Hammond, Himsl, Keating, Kolstad, Manning, Mohar, Shaw, Smith, Story.
Total 12

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HJR 56 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 45

Noes: Boylan, Daniels, Mohar, Yellowtail.
Total 4

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

SB 182, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Crippen, Farrell, Fuller, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 38

Noes: Christiaens, Daniels, Eck, Haffey, Halligan, Manning, Mazurek, Regan, Stimatz, Towe, Yellowtail.
Total 11

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

SB 268, Governor's amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HB 114, Governor's amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Boylan, Story.
Total 2

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HB 497, Governor's amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HB 891, Governor's amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover,

Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

At the request of Senator Shaw, and without objection, Senator Shaw's vote on Governor's Amendments to SB 268 be recorded as yes.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Fuller moved that the President be authorized to dissolve the conference committee on House amendments to SB 321 and that he be authorized to appoint a free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Fuller, Chairman
Senator Mazurek
Senator Brown

Senator Van Valkenburg moved that the Senate recess, subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 9:38 a.m.

Senate reconvened at 10:10 a.m.

REPORTS OF SELECT COMMITTEES

Conference Committee
on Senate Bill No. 13
Report No. 1, April 22, 1985

Mr. President:

We, your Conference Committee on Senate Bill No. 13 met and considered:

House amendments to Senate Bill No. 13, April 22, 1985.

We recommend as follows:

That Senate Bill No. 13, reference copy, be amended as follows:

1. Title, lines 8 through 11.
Following: "STATE;" on line 8
Strike: remainder of line 8 through "DISTRICTS;" on line 11

2. Page 3, lines 9 and 10.
Following: ""~~Agency~~"" on line 9
Strike: remainder of line 9 through ""AGENCY"" on line 10

Insert: "Agency"

3. Page 3, lines 14 through 16.
Following: "agency"
Strike: remainder of line 14 through "DISTRICT," on line 16

And that this Conference Committee report be adopted.

For the Senate:	For the House:
Boylan, Chairman	Schultz
Story	Darko
Fuller	Kadas

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Conference committee report rejected: 4/22/85

SB 215, conference committee report

The House, on 4/22/85, dissolved the conference committee on House amendments to SB 431 and appointed a free conference committee.

The Speaker appointed the following members:

Representative Gould
Representative Ramirez
Representative Ream
Representative Schye

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (Haffey, Chairman): 4/23/85
HJR 58, be concurred in. Report adopted.

Adverse Committee Reports

STATE ADMINISTRATION (Haffey, Chairman): 4/23/85
HJR 60, be not concurred in. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Christiaens, Daniels, Eck, Fuller, Gage, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 39

Noes: Brown, Crippen, Farrell, Galt, Goodover, Hammond, Mohar, Shaw.
Total 8

Excused: Bengtson, Conover.
Total 2

Absent or not voting: McCallum.
Total 1

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill No. 116
Report No. 1, April 20, 1985

Mr. President:

We, your Free Conference Committee on Senate Bill No. 116 met and considered:

Senate Bill No. 116, April 18, 1985.

We recommend as follows:

That Senate Bill No. 116, reference copy, be amended as follows:

1. Title.
Following: line 13
Insert: "DEPUTY"
Following: "ATTORNEYS"
Strike: "AND THEIR DEPUTIES"

2. Page 2, line 1.
Following: "FOR"
Insert: "deputy"

3. Page 2, line 2.
Strike: "AND THEIR DEPUTIES"

4. Page 2, line 15.
Following: "for"
Strike: "a criminal offense"
Insert: "any conduct made criminal by state statute"

5. Page 3, line 8.
Following: "the"
Insert: "appropriate"

6. Page 3, line 9.
Following: "treasurer."
Insert: "If a city municipal court or city or town court is the court of original jurisdiction, the charges collected under subsection (1) must be deposited with the city or town finance officer or treasurer. If a justice court or district court is the court of original jurisdiction, the charges collected under subsection (1) must be deposited with the county finance officer or treasurer."

7. Page 3, lines 17 and 18.
Following: "MONTH, THE"
Strike: remainder of line 17 through "GOVERNMENT" on line 18
Insert: "county"

8. Page 3, line 21.
Following: "A"
Strike: "LOCAL GOVERNMENT"
Insert: "county"

9. Page 3, line 24.
Following: "SECTION."
Insert: "A city or town finance officer or treasurer may retain the charges collected under subsection (1) by a city municipal court or a city or town court and may use that money for the payment of salaries of the city or town attorney and his deputies."

10. Page 4, line 14.
Following: "SALARIES"
Insert: "for the deputy county attorneys"

11. Page 7, lines 19 through 22.
Strike: lines 19 through 22 in their entirety

12. Page 8, lines 20 through 22.
Following: "AS" on line 20
Strike: remainder of line 20 through "OR" on line 21
Following: "EACH" on line 21
Strike: remainder of line 21 through "OR" on line 22

13. Page 8, line 24.
Following: "AS"
Strike: "COUNTY ATTORNEY OR"

14. Page 8, line 25.
Following: "AS"
Strike: remainder of line 25 in its entirety

15. Page 9, line 1.
Following: "EACH"
Strike: remainder of line 1 in its entirety

16. Page 9, lines 4 and 5.
Following: "AS" on line 4
Strike: remainder of line 4 through "OR" on line 5

17. Page 9, line 7.
Following: "EACH"
Strike: "PART-TIME COUNTY ATTORNEY OR"

18. Page 9, lines 10 through 13.
Strike: subsection (3)(d)(ii) in its entirety
Renumber: subsequent subsection

19. Page 9, line 14.
Following: "AS A"
Strike: remainder of line 14 in its entirety

20. Page 11, lines 17 and 18.
Following: "(1),," on line 17
Strike: remainder of line 17 through "7-4-2503(3)(d)" on line 18
Insert: "other than a deputy county attorney"

21. Page 11.
Following: line 19
Insert: "The salary of a deputy county attorney, including longevity payments provided in 7-4-2503(3)(d), may not exceed the salary of the county attorney under whom he is serving."

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Halligan, Chairman	
Van Valkenburg	Peck
Thayer	
	O'Hara

MOTIONS

Senator Haffey moved that the President be authorized to dissolve the conference committee on House amendments to SB 215 and that he be authorized to appoint a free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Haffey, Chairman

Senator Yellowtail
Senator Anderson

At the request of the President, and without objection, the Senate reverted to Order of Business No. 4.

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 22, 1985

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 67 and 140 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 23, 1985

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Vincent:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return Senate Bill No. 400, "AN ACT LIMITING THE TAX INCENTIVE FOR THE PRODUCTION OF ALCOHOL BY REQUIRING THAT MONTANA-PRODUCED ALCOHOL BE BLENDED WITH GASOLINE TO PRODUCE GASOHOL; EXTENDING THE ALCOHOL TAX INCENTIVE TO MONTANA-PRODUCED ALCOHOL EXPORTED AND BLENDED WITH GASOLINE; DEFINING THE TERM "EXPORT"; LIMITING AND APPORTIONING THE TOTAL POTENTIAL EXPENDITURE FOR ALCOHOL PRODUCTION TAX INCENTIVE PAYMENTS; AMENDING SECTIONS 15-70-201, 15-70-503, 15-70-522, AND 15-70-523, MCA; AND PROVIDING EFFECTIVE DATES," without my signature and recommend the attached amendments for the following reasons.

Currently, Montana law grants a tax incentive to a distributor who produces alcohol in Montana from Montana agricultural products to be blended with gasoline to form gasohol. Unfortunately, the term "agriculture" is not defined in the gasohol statute. Where used in other contexts, the term is not always interpreted to include the growing and harvesting of timber. For this reason, the gasohol law does not clearly indicate whether the tax incentive is available to a distributor who distills alcohol from Montana wood or wood products.

Both grain and timber are renewable resources. Both industries make great contributions to Montana's economy. Both should qualify for the gasohol tax incentive.

My amendments clarify that the gasohol tax incentive applies to a Montana distributor who distills alcohol from Montana wood or wood products for mixing with gasoline.

I urge your concurrence in these amendments.

Governor's Proposed Amendments
to SB 400

1. Page 4, line 4.
Following: "products"
Insert: ", including Montana wood or wood products"

2. Page 5, line 22.
Following: "products,"
Insert: "including Montana wood or wood products,"

Sincerely,

Ted Schwinden
Governor

MOTIONS

Senator Van Valkenburg moved that HB 922, HB 928, HB 938, and HB 947 be moved to the top of the board. Motion carried unanimously.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Mazurek in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

The Chair ruled, without objection, that the staff of the Office of the Fiscal Analyst would be allowed in the Senate Chamber during the presentation of HB 922.

HB 922 - That HB 922, Finance and Claims Standing Committee report of 4/19/85, be amended as follows:

1. AMENDMENT NO. 2.
Strike: amendment no. 2 in its entirety

Amendment failed as follows:

Ayes: Aklestad, Anderson, Boylan, Brown, Crippen, Farrell, Galt, Goodover, Hager, Hammond, Harding, Himsl, Kolstad, Lybeck, Lynch, McCallum, Mohar, Pinsoneault, Severson, Shaw, Smith, Stephens, Thayer, Tveit.
Total 24

Noes: Bengtson, Blaylock, Christiaens, Daniels, Eck, Fuller, Gage, Haffey, Halligan, Hirsch, Jacobson, Keating, Lane, Manning, Mazurek, Neuman, Regan, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 25

Excused: Conover.
Total 1

Absent or not voting: None.

Total 0

That HB 922, Finance and Claims Standing Committee report of 4/19/85, be further amended as follows:

1. Page 11, line 20.
Following: "FUNDS"
Strike: "MAY BE EXPENDED"
Insert: "are statutorily appropriated[, as provided in section 2 of House Bill No. 12,]"

2. Page 14.
Following: line 19
Insert: "NEW SECTION. Section 9. Coordination. If this act and House Bill No. 12 are both passed and approved, subsection (3) of section 2 of House Bill No. 12 is amended to include a reference to section 4 of this act, and the bracketed language in section 4(3) of this act "[, as provided in section 2 of House Bill No. 12,]" is effective. If House Bill No. 12 is not passed and approved, such bracketed language in section 4(3) of this act is void."
Renumber: subsequent sections

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

That HB 922, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HB 928 - That HB 928, Finance and Claims Standing Committee report of 4/19/85, be amended as follows:

1. Amendment Nos. 3 and 4.
Strike: amendment nos. 3 and 4 in their entirety

Amendment passed as follows:

Ayes: Aklestad, Anderson, Boylan, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 42

Noes: Bengtson, Blaylock, Brown, Goodover, Himsl, Lybeck, Van Valkenburg.
Total 7

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

That HB 928, Finance and Claims Standing Committee report of 4/19/85, be further amended as follows:

1. Amendment No. 1.
Following: "168,877" in the inserted material
Strike: "Federal"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

That HB 928, third reading copy, be further amended as follows:

1. Page 7.
Following: line 22
Insert:
"Kleffner Ranch Acquisition Downpayment 100,000 Coal Tax Park Aquisition

The Kleffner Ranch may not be purchased unless all matters relating to federal superfund designation have been resolved and the purchase would not involve any state superfund liability."

Amendment passed as follows:

Ayes: Blaylock, Boylan, Brown, Christiaens, Daniels, Farrell, Fuller, Gage, Haffey, Halligan, Harding, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 27

Noes: Aklestad, Anderson, Bengtson, Crippen, Eck, Galt, Goodover, Hager, Hammond, Himsl, Hirsch, Keating, Mohar, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 21

Excused: Conover.
Total 1

Absent or not voting: Weeding.
Total 1

That HB 928, third reading copy, be further amended as follows:

1. Title, lines 6 through 8.
Following: "APPROPRIATIONS;" on line 6
Strike: remainder of line 6 through "PRISON;" on line 8

2. Page 11, lines 9 through 12.
Strike: section 12 in its entirety

Amendment failed as follows:

Ayes: Blaylock, Fuller, Haffey, Jacobson, Lynch, Manning, Regan, Yellowtail.
Total 8

Noes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams.
Total 40

Excused: Conover.
Total 1

Absent or not voting: Mr. President.
Total 1

That HB 928, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Lybeck, Regan.
Total 2

Excused: Conover.

Total 1

Absent or not voting: None.
Total 0

HB 938 - That HB 938 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HB 947 - That HB 947, third reading copy, be amended as follows:

1. Page 33, line 16.
Following: "bonds"
Insert: ", except for those loans previously authorized,"

2. Page 33, lines 16 through 18.
Following: "rates" on line 16
Strike: "specified" on line 16 through "recalculated" on line 18

3. Page 33, lines 18 through 23.
Strike: "methodology" on line 18 through "assured" on line 23
Insert: "the"

4. Page 33, lines 23 and 24.
Following: "interest" on line 23
Strike: "thereon as if"
Insert: "of"

5. Page 33, line 24 through page 34, line 2.
Following: "bonds" on line 24
Strike: "bore" on line 24 of page 33 through "6" on line 2 of page 34

6. AMEND SENATE FINANCE AND CLAIMS COMMITTEE REPORT OF APRIL 20 ON HOUSE BILL 947 AS FOLLOWS:

Amendment No. 2, page 2.
Strike: "GROUP A Notwithstanding the conditions set forth in section 14, the"
Insert: "The"
Strike: "in this group may"
Insert: "must"
Strike: "four percentage points below"
Strike: "for the first 5 years of an anticipated 20-year term and must be at the rate at which the state bond is sold for the remaining 15 years"
Strike: "LOAN AMOUNT"

Strike: "GROUP B" through "LOAN AMOUNT"

Page 3.
Strike: "GROUP C" through "LOAN AMOUNT"
Strike: "GROUP D" through "LOAN AMOUNT"
Strike: "GROUP E" through "LOAN AMOUNT"

Pages 3 and 4.
Strike: "GROUP F" on page 3 through "LOAN AMOUNT" on page 4

Page 4.
Strike: "GROUP G" through "LOAN AMOUNT"

Amendment No. 6. Page 4, subsection (6) of inserted material.
Following: "East Glacier."
Strike: "The department of Natural Resources and Conservation is directed to classify this loan into one of the groups set forth in subsection (2) and report this classification to the Legislative Finance Committee."

Amendment failed as follows:

Ayes: Blaylock, Hirsch, Keating, Mohar, Regan, Thayer, Towe, Weeding, Yellowtail.
Total 9

Noes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Severson, Shaw, Stephens, Stimatz, Story, Tveit, Van Valkenburg, Williams.
Total 38

Excused: Conover.
Total 1

Absent or not voting: Smith, Mr. President.
Total 2

That HB 947 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Shaw.
Total 1

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Mazurek moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate recess until 2:15 p.m. Motion carried unanimously.

Senate recessed at 12:19 p.m.

Senate reconvened at 2:20 p.m.

REPORTS OF STANDING COMMITTEES

AGRICULTURE, LIVESTOCK AND IRRIGATION (Boylan, Chairman): 4/23/85

HJR 57, be concurred in. Report adopted.

LOCAL GOVERNMENT (Fuller, Chairman): 4/23/85

HB 954, third reading copy, be amended as follows:

1. Title, lines 4 through 6.
Following: "AN ACT" on line 4
Strike: remainder of line 4 through "COUNTY" on line 6
Insert: "PROVIDING FOR THE DETACHMENT OF TERRITORY FROM ONE COUNTY AND ITS ANNEXATION TO ANOTHER COUNTY"

2. Title, lines 8 and 9.
Following: "CONSTITUTION;" on line 8
Strike: remainder of line 8 through "TAXATION;" on line 9

3. Title, lines 10 and 11.
Following: "SECTIONS" on line 10
Strike: remainder of line 10 through "DATE" on line 11
Insert: "7-2-2201, 7-2-2205 THROUGH 7-2-2207, 7-2-2215 THROUGH 7-2-2219, 7-2-2221 THROUGH 7-2-2224, AND 7-2-2243, MCA; AND REPEALING SECTIONS 7-2-2203 AND 7-2-2210, MCA"

4. Page 1, line 13 through page 2, line 22.
Strike: preamble in its entirety

5. Strike everything after the enacting clause
Insert: "Section 1. Section 7-2-2201, MCA, is amended to read:

"7-2-2201. Authorization to create new counties. (1) New counties may, from time to time, be formed and created in this state from portions of one or more counties which shall have been created and in existence for a period of more than 2 years, in the manner set forth and provided in this part.

(2) A county enlarged by the addition of territory taken from one or more other counties is a new county under the provisions of this part."

Section 2. Section 7-2-2205, MCA, is amended to read:

"7-2-2205. Petition for creation of new county. (1) Whenever it is desired to divide any county or counties and form a new county out of a portion of the territory of the then-existing county or counties, a petition shall be presented to the board of county commissioners of the county from which the new county is to be formed, in case said proposed new county is to be formed from but one county, or

to the board of county commissioners of the county from which the largest area of territory is proposed to be taken for the formation of such new county, in case said new county is to be formed from portions of two or more existing counties.

(2) (a) ~~The~~ If the proposed new county is to be formed from a portion of only one existing county, the petition ~~shall~~ must be signed by at least 50% of the registered electors of the proposed new county.

(b) ~~In cases where~~ If the proposed new county is to be formed from portions of two or more counties, separate petitions must be presented from the territory taken from each county, and each of the petitions shall be signed by at least 50% of the registered electors of the proposed portions.

(c) If the proposed new county is to be an existing county enlarged by territory taken from one or more other counties, a separate petition must be presented from each such territory, and each petition must be signed by at least 50% of the registered electors of the territory.

~~(c)~~(d) The signatures need not all be appended to one paper but may be signed to several petitions, which must be similar in form. When so signed, the several petitions may be fastened together and shall be treated and presented as one petition."

Section 3. Section 7-2-2206, MCA, is amended to read:

"7-2-2206. Contents of petition. (1) Such petition or petitions ~~shall~~ must contain:

~~(1)~~(a) a ~~particular~~ legal description of the ~~boundaries of the proposed new county~~ territory proposed to be taken from the county in which the petition is circulated;

~~(2) a statement that no line thereof passes within 15 miles of the courthouse situated at the county seat of any county proposed to be divided, except as otherwise provided in this part;~~

~~(3)~~(b) a statement of the assessed valuation of such proposed county as shown by the last preceding assessment, inclusive of all assessed valuation;

~~(4)~~(c) a statement of the surveyed area, in square miles, which will remain in the county or counties from which territory is taken to form such new county after such county is formed, and a statement of the surveyed area in square miles, which will be in the new county after formation;

(d) a warning that a person is subject to a $500 fine or 6 months in jail, or both, if he purposefully:

(i) signs a name other than his own to the petition;

(ii) signs more than once for the same issue; or

(iii) signs when not a legally registered voter residing in the territory to be added to the proposed new county.

~~(5)~~(e) if the proposed new county is to be formed from one existing county, or from portions of two or more existing counties, the name of the proposed new county~~;~~ and

~~(6)~~ a prayer that such proposed new county be organized into a new county under the provisions of this part~~.~~; and

(f) if the proposed new county is to be an existing county enlarged by territory taken from one or more other counties, a prayer that this territory be added to the proposed new county under the provisions of this part.

(2) Each person must sign his name and address in substantially the same manner as on his voter registry card, or the signature will not be counted.

(3) Numbered lines must be provided for signatures. Each numbered line must contain spaces for the signature, the printed last name of the signer, and the signer's address."

NEW SECTION. Section 4. Submission of petition for approval. (1) Before a petition may be circulated for signatures, a sample petition must be submitted to the county election administrator in the form in which it will be circulated for approval as to form.

(2) The county election administrator shall refer a copy of the sample petition to the county attorney, who shall review the sample petition to ensure compliance with the requirements of this part.

(3) If the petition is rejected as to form, the county election administrator shall within 10 days after submission of the sample send written notice to the person who submitted the petition.

(4) If the petition is approved as to form, the election administrator shall within 21 days after submission of the sample send written notice to the person who submitted the petition. Thereafter the petition may not be challenged except with regard to the number and validity of signatures appended to it.

NEW SECTION. Section 5. Number of signatures required — time allowed for collecting them. (1) For the purpose of determining the number of signatures needed on a petition to meet the percentage requirements of this part, the number of registered electors in a territory proposed to be included in a new county is the number of people registered to vote in that territory in the most recent general election.

(2) All petition signatures must be collected and filed within 120 days of the date of the notice that the petition has been approved as to form.

Section 6. Section 7-2-2207, MCA, is amended to read:

"7-2-2207. Affidavits to be attached to petition. ~~(1)~~ There shall be attached and filed with ~~said~~ each sheet or section of the petition or petitions an affidavit of ~~five qualified electors residing within each county sought to be divided, to the effect that:~~

~~(a) they have read said petition and examined the signatures affixed thereto and they believe that the statements therein are true;~~ the person who circulated the petition, stating that it is his belief that:

~~(b)~~(1) it is signed by at least 50% of the qualified electors, as herein provided, of the proposed new county or of the proposed portion thereof taken from each existing county, where the proposed new county is to be formed from portions of two or more existing counties;

~~(c)~~(2) the signatures affixed thereto are genuine; and

~~(d)~~(3) each of such persons so signing was, at the date of such signing, a qualified elector of ~~such county therein sought to be divided.~~ the proposed new county or of the portion thereof taken from an existing county.

~~(2) Such petition or petitions, so verified, and the verification thereof shall be accepted in all proceedings permitted or provided for in this part as prima facie evidence of the truth of the matters and facts therein set forth.~~"

NEW SECTION. Section 7. Verification of signatures by county clerk. The clerk of the county receiving the petition shall check the names of all signers to verify that they are registered electors of the proposed territory to be taken from the county. In addition, the county clerk shall randomly select signatures on each sheet or section of the petition and compare them with the signatures of the electors as they appear on the registration records of the office. If all of the randomly selected signatures appear to be genuine, the number of signatures of registered electors on the sheet or section may be certified without further comparison of signatures. If any of the randomly selected signatures do not appear to be genuine, all signatures on that sheet or section must be compared with the registration records of the office.

Section 8. Section 7-2-2215, MCA, is amended to read:

"7-2-2215. Election on question of creating new county — proclamation and notice. (1) Within 2 weeks after its determination of the truth of the allegations of the petition, the board of county commissioners shall order and give proclamation and notice of an election to be held on a specified day, not less than ~~90~~ 60 days ~~or more than 120 days~~ thereafter, ~~in the territory which is proposed to be taken for the new county,~~ for the purpose of determining whether ~~such territory~~ the territory proposed to be taken from the county shall be established and organized into a new or enlarged county and for the election of officers and location of a county seat therefor in case the vote at the election is in favor of the establishment and organization of ~~the~~ a new county~~.~~ formed from a portion of one existing county or from portions of two or more existing counties.

(2) The question of determining whether the proposed territory shall be taken from the county and added to the proposed new county must be included on the ballot for the next countywide primary, general, or school election scheduled not less than 60 days after the date of the proclamation and notice.

~~(2)~~(3) All registered electors ~~residing within the proposed new county who are registered electors~~ of the county ~~or counties from which territory is taken to form the proposed new county and who are to be registered under the provisions of the registration laws of the state~~ shall be entitled to vote at the election. Registration and transfers of registration shall be made and shall close in the manner and at a time provided by law for registration and transfers of registration for a general election in Montana.

~~(3) The proclamation and notice of election shall be published as provided in 13-1-108, and a copy thereof shall be mailed immediately by the election administrator of the county in which the petition is filed to the election administrator of each county from which territory is to be taken for the proposed new county.~~

~~(4) The proclamation calling the election and the notice thereof provided for in this part shall be made and given exclusively by the board with which the petition for the formation and establishment of the new county is filed.~~

(4) If the proposed new county is an existing county to be enlarged by territory taken from the county in which the petition was filed, the board of county commissioners of the proposed new county shall hold an election in the manner described in subsections (1) through (3)."

Section 9. Section 7-2-2216, MCA, is amended to read:

"7-2-2216. Establishment of election precincts. ~~Said~~ The board of county commissioners of the county in which the petition was filed shall also, if necessary for the purpose of the election provided for in ~~7-2-2215~~ 7-2-2215(1), change the boundaries of the election precincts in ~~said~~ the old county ~~or counties~~ to make the same conform to the boundaries of the proposed new county, provided that the boundary lines of no such precinct shall extend beyond the boundary lines of the then-existing county in which it is located and from which the territory is proposed to be taken."

Section 10. Section 7-2-2217, MCA, is amended to read:

"7-2-2217. Appointment of election officials. The board of county commissioners of the county concerned shall appoint election judges to act at the election provided for in ~~7-2-2215~~ 7-2-2215(1) or 7-2-2215(4) and to be paid by the board."

Section 11. Section 7-2-2218, MCA, is amended to read:

"7-2-2218. Form of ballot. (1) ~~The~~ If the proposed new county is to be formed from one county, or from portions of two or more existing counties, the ballot shall be in the following form:

(a) proclamation and notice required by 7-2-2215 shall require the electors to cast ballots which shall contain the words "For the new county of .... (giving the name of the proposed new county) — Yes" and "For the new county of .... (giving the name of the proposed new county) — No"~~,~~. ~~and each elector desiring to vote for the establishment and organization of the new county shall mark a cross (X) opposite the words "For the new county of .... — Yes" in the manner now required by law in other elections, and each elector desiring to vote against the establishment and organization of the new county shall mark a cross (X) opposite the words "For the new county of .... — No" in the manner now required by law in other elections.~~

~~(2)~~(b) The ballots shall also contain the names of individuals to be voted for to fill the various elective offices designated in the proclamation for counties of the class to which the proposed county will belong, as determined by the board of county commissioners, as herein otherwise provided.

~~(3)~~(c) There shall also be printed upon the ballot the words "For the county seat" and the names of all cities or towns which may have filed with the election administrator a petition, signed by at least 25 registered electors, nominating any city or town within the proposed new county for the county seat. The elector shall designate his choice for county seat by marking a cross (X) opposite the name of the city or town for which he desires to cast his ballot.

(2) If the proposed new county is to be an existing county enlarged by territory taken from one or more other counties, the proclamation and notice required by 7-2-2215(1) shall require the electors to cast ballots which shall contain the legal description of the territory to be taken from the county in which the election is held, together with any name or names for the territory that may be in common use, and the words "For the territory described (or commonly known as ....) to be detached from .... County and added to .... County — Yes" and "For the territory described (or commonly known as ....) to be detached from .... County and added to .... County — No"."

Section 12. Section 7-2-2219, MCA, is amended to read:

"7-2-2219. Conduct of election. (1) (a) The board issuing the proclamation and notice of election pursuant to 7-2-2215 shall cause the county election administrator to furnish to the election judges of each precinct in the proposed new county all election supplies and equipment necessary to conduct the election and which are not specifically directed to be furnished by the election administrator of another county or counties.

(b) The election administrator of each county from which territory is taken for the proposed new county shall, not less than 5 days before the date of the election, furnish for each precinct within the proposed new county a precinct register for the precincts of the proposed new county which are within their respective counties.

(2) The ~~election~~ elections provided for in 7-2-2215 shall be governed and controlled by the general election laws of the state, so far as the same are applicable and except as otherwise provided herein. The provisions of the election laws relating to preparation, printing, and distribution of sample ballots, except the provisions of these laws relating to primary elections in this state, apply to any election provided for in this part. All returns of an election shall be made to and canvassed by the board of county commissioners calling the election.

(3) All nominations of candidates for offices required to be filled at the election shall be made in the manner provided by law for the nomination of candidates by petition."

Section 13. Section 7-2-2221, MCA, is amended to read:

"7-2-2221. Determination of county seat — temporary county seat. (1) ~~At the special election to be held as provided in 7-2-2215~~ If the proposed new county is to be formed from one county or from portions of two or more existing counties, the question of the election of the county seat is hereby provided to be submitted to the qualified electors of the proposed new county at the election provided for in 7-2-2215(1), and the majority of all the votes cast therefor shall determine the election thereon.

(2) (a) In case any city or town fails to receive a majority of all the votes cast, then the city or town receiving the highest number of all votes cast shall be designated as the temporary county seat. The temporary county seat selected upon the organization of such county shall remain as such county seat until the permanent county seat shall be established as provided by law.

(b) In case any city or town is not the choice of the election for the county seat by a majority of all the votes cast, the question of

choice between the two cities or towns for which the highest number of votes shall have been cast shall be submitted in like manner to the qualified electors at the next general election thereafter.

(c) When the county seat shall have been selected as herein provided, it shall not thereafter be changed except in the manner provided by law."

Section 14. Section 7-2-2222, MCA, is amended to read:

"7-2-2222. Effect of election — resolution by county commissioners. (1) If, upon the canvass of the votes cast at the election, it appears that more than 50% of the votes cast ~~on the issue are "For the new county of .... — Yes",~~ by those voting in an election under 7-2-2215(1) in the county, by those voting in the same election in the territory proposed to be taken from the county, and by those voting in an election held under 7-2-2215(4) are affirmative, the board of county commissioners shall, by a resolution entered upon its minutes, declare ~~such territory~~ the new or enlarged county duly formed and created as a county of this state, of the class to which the same belongs and under the name of .... County, and, if appropriate, that the city or town receiving the highest number of votes cast at the election for county seat shall be the county seat of the county until removed in the manner provided by law and designate and declare the individuals receiving, respectively, the highest number of votes for the several offices to be filled at the election to be duly elected to the offices.

(2) However, if upon such canvass it appears that more than 50% of the votes cast on the issue ~~at the election are "For the new county of .... — No"~~ by those voting in the county, or by those voting in the territory proposed to be taken from the county, or by those voting in an election held under 7-2-2215(4) are negative, the board canvassing the vote as provided herein shall pass a resolution in accordance therewith, and thereupon the proceedings relating to division of such county or counties shall cease. No other proceedings in relation to any other division of the old county or counties shall be instituted for at least ~~2~~ 4 years after such determination."

Section 15. Section 7-2-2223, MCA, is amended to read:

"7-2-2223. Procedure to complete creation of county. (1) The board of county commissioners shall immediately file a copy of its resolution, authorized by 7-2-2222(1) and duly certified, together with a legal description of the new boundaries of each affected county, in the office of the secretary of state. Ninety days after the date of such filing:

(a) the new county is considered to be fully created;

(b) the organization thereof is considered completed; and

(c) ~~the~~ any new county officers, other than the county commissioners and the county clerk, are entitled to enter upon the duties of their respective offices upon qualifying in accordance with law and giving bonds for the faithful performance of their duties, as required by the laws of the state.

(2) The election administrator of the county with which the petition was filed must immediately make out and deliver to each of the individuals declared and designated to be elected a certificate of election authenticated by his signature and the seal of the county. The

individuals elected members of the board and the county clerk shall, immediately upon receiving their certificates of election, assume the duties of their respective offices."

Section 16. Section 7-2-2224, MCA, is amended to read:

"7-2-2224. Offices and supplies for new county. ~~The~~ If the new county has a new county seat under 7-2-2221, the board of county commissioners of the new county may provide a suitable place for the county officers and purchase supplies necessary for the proper conduct of the county government."

Section 17. Section 7-2-2243, MCA, is amended to read:

"7-2-2243. Compensation of commission members. Members of the board of commissioners provided for under 7-2-2241 shall receive a compensation of not to exceed ~~$8~~ $25 per day for every day they are actually employed under the provisions of this part. All of which expenses, together with the reasonable expenses of stationery, postage, and incidental expenses, shall be borne in equal proportions by the counties affected by such division, including said new county. The amounts payable by each county shall be paid by the treasurers of the respective counties after the same shall have been presented to and allowed by the board of county commissioners as is provided by law for claims against any county."

NEW SECTION. Section 18. Repealer. Sections 7-2-2203 and 7-2-2210, MCA, are repealed.

NEW SECTION. Section 19. Codification instruction. Sections 4, 5, and 7 are intended to be codified as an integral part of Title 7, chapter 2, part 22, and the provisions of Title 7, chapter 2, part 22, apply to sections 4, 5, and 7."

And, as amended, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill No. 727
Report No. 1, April 22, 1985

Mr. President:

We, your Free Conference Committee on House Bill No. 727 met and considered:

House Bill No. 727.

We recommend as follows:

That House Bill No. 727, reference copy, be amended as follows:

1. Title, line 8.
Strike: "AND TO PROTECT GROUND WATER FROM CONTAMINATION"

2. Page 3, line 13.
Following: "~~AND~~"
Insert: "and"

3. Page 3, lines 16 and 17.
Strike: "THAT" on line 16 through "LAND" on line 17

4. Page 3, line 20.

Strike: "; AND"
Insert: "."

5. Page 4, lines 1 through 5.
Strike: "(VI)" on line 1 through "." on line 5

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Fuller, Chairman	Brandewie
Eck	D. Brown
McCallum	Kitselman
	Miles

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 23, 1985

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 19, 106, 411, and 436 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The House, on 4/22/85, dissolved the conference committee on House amendments to SB 215 and appointed a free conference committee.

The Speaker appointed the following members:

Representative Addy
Representative Harper
Representative Ramirez
Representative Thomas

The House, on 4/23/85, dissolved the conference committee on House amendments to SB 321 and appointed a free conference committee.

The Speaker appointed the following members:

Representative Cobb
Representative Krueger
Representative Mercer
Representative Miles

The House, on 4/23/85, dissolved the conference committee on House amendments to SB 449 and appointed a free conference committee.

The Speaker appointed the following members:

Representative Bergene
Representative Eudaily
Representative Keenan
Representative Waldron

MOTIONS

Senator Van Valkenburg moved that the President be empowered to appoint a free conference committee to meet with a committee from the House of Representatives to confer on HB 500. Motion carried unanimously.

The President appointed the following members:

Senator Van Valkenburg, Chairman
Senator Regan
Senator Keating

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Fuller in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 110 - Senator Christiaens moved that the free conference committee report on SB 110 be placed below the free conference committee report on HB 236. Motion carried unanimously.

HB 236 - That the free conference committee report on HB 236 be adopted. Motion carried as follows:

Ayes: Anderson, Bengtson, Boylan, Christiaens, Crippen, Daniels, Farrell, Fuller, Galt, Goodover, Haffey, Halligan, Jacobson, Lane, Lynch, Manning, Mohar, Pinsoneault, Severson, Stephens, Stimatz, Thayer, Tveit, Van Valkenburg, Williams, Mr. President.
Total 26

Noes: Aklestad, Blaylock, Brown, Gage, Hager, Hammond, Harding, Himsl, Kolstad, Neuman, Regan, Shaw, Smith, Towe, Weeding, Yellowtail.
Total 16

Excused: Conover.
Total 1

Absent or not voting: Eck, Hirsch, Keating, Lybeck, Mazurek, McCallum, Story.
Total 7

SB 110, HB 616 - At the request of the Chairman, and without objection, the free conference committee report on SB 110 and the free conference committee report on HB 616 be placed below the free conference committee report on HB 717.

HB 686 - That the free conference committee report on HB 686 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Towe.
Total 1

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HB 717 - That the free conference committee report on HB 717 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

SB 110, HB 616 - At the request of the Chairman, and without objection, the free conference committee report on SB 110 and the free conference committee report on HB 616 be placed below HB 919.

HB 873 - That the free conference committee report on HB 873 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HB 923 - That the free conference committee report on HB 923 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz,

Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Eck.
Total 1

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HB 198, HB 375, HB 410 - Senator Van Valkenburg moved that HB 198, HB 375, and HB 410 be moved to the bottom of the board. Motion carried unanimously.

HB 792 - That HB 792 be concurred in. Motion failed as follows:

Ayes: Bengtson, Blaylock, Boylan, Brown, Crippen, Eck, Fuller, Gage, Halligan, Jacobson, Keating, Lane, Manning, Pinsoneault, Regan, Stimatz, Story, Towe, Van Valkenburg, Williams, Yellowtail.
Total 21

Noes: Aklestad, Anderson, Daniels, Galt, Goodover, Hammond, Harding, Himsl, Hirsch, Kolstad, Lynch, Mazurek, McCallum, Mohar, Severson, Shaw, Smith, Stephens, Thayer, Tveit, Weeding.
Total 21

Excused: Conover.
Total 1

Absent or not voting: Christiaens, Farrell, Haffey, Hager, Lybeck, Neuman, Mr. President.
Total 7

Senator Van Valkenburg moved that HB 792 be indefinitely postponed. Motion failed as follows:

Ayes: Aklestad, Anderson, Christiaens, Farrell, Galt, Goodover, Halligan, Hammond, Harding, Hirsch, Kolstad, Lynch, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 23

Noes: Bengtson, Blaylock, Boylan, Crippen, Daniels, Eck, Fuller, Gage, Haffey, Himsl, Jacobson, Keating, Lane, Lybeck, Manning, Mazurek, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 23

Excused: Conover.
Total 1

Absent or not voting: Brown, Hager, Mr. President.
Total 3

HB 919 - That HB 919 be concurred in. Senator Weeding made a substitute motion that HB 919 be not concurred in. Substitute motion failed as follows:

Ayes: Brown, Christiaens, Daniels, Eck, Halligan, Hirsch, Lybeck, Manning, Mazurek, Neuman, Shaw, Smith, Towe, Tveit, Weeding, Yellowtail.
Total 16

Noes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Crippen, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl,

Jacobson, Keating, Kolstad, Lane, Lynch, McCallum, Mohar, Pinsoneault, Regan, Stephens, Stimatz, Story, Thayer, Van Valkenburg, Williams, Mr. President.
Total 32

Excused: Conover.
Total 1

Absent or not voting: Severson.
Total 1

That HB 919, third reading copy, be amended as follows:

1. Page 2, line 13.
Following: "~~December 31, 1979~~"
Strike: "July 1, 1987"
Insert: "December 31, 1979"

2. Page 2.
Following: line 17
Strike: "26%"
Insert: "35%"

3. Page 3, lines 23 and 24.
Strike: subsection (1) in its entirety
Renumber: subsequent subsection

4. Page 4, line 16.
Following: "1985,"
Strike: "23.08%"
Insert: "42.857%"

Amendment failed as follows:

Ayes: Blaylock, Christiaens, Eck, Hammond, Hirsch, Lybeck, Manning, Neuman, Shaw, Smith, Thayer, Towe, Weeding, Yellowtail.
Total 14

Noes: Aklestad, Anderson, Bengtson, Boylan, Brown, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lynch, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Tveit, Van Valkenburg, Williams, Mr. President.
Total 35

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

That HB 919, third reading copy, be further amended as follows:

1. Title, lines 6 and 7.
Following: "FUND" on line 6
Strike: "$_2$"
Insert: "AND THE"
Following: "PROGRAM," on line 6
Strike: "$_2$ AND THE HIGHWAY PROGRAM"

2. Page 2, line 18.
Strike: "26%"
Insert: "30%"

3. Page 3, lines 23 and 24.
Strike: subsection (1) in its entirety
Renumber: subsequent subsection

COMMENT: Thirty percent would be simply to return the highway allocation to the Coal Board.

Amendment failed as follows:

Ayes: Bengtson, Christiaens, Gage, Hammond, Harding, Hirsch, Lybeck, Manning, Neuman, Pinsoneault, Shaw, Smith, Thayer, Towe, Tveit, Weeding, Yellowtail.
Total 17

Noes: Aklestad, Anderson, Blaylock, Brown, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Himsl, Jacobson, Keating, Kolstad, Lane, Lynch, Mazurek, McCallum, Mohar, Regan, Severson, Stephens, Stimatz, Story, Van Valkenburg, Williams, Mr. President.
Total 31

Excused: Conover.
Total 1

Absent or not voting: Boylan.
Total 1

That HB 919, third reading copy, be further amended as follows:

1. Page 3, lines 23 and 24.
Strike: line 23 in its entirety through "fund" on line 24
Insert: "4% to the department of highways for use on coal impact related highway projects designated by the coal board."

Amendment failed as follows:

Ayes: Anderson, Brown, Crippen, Eck, Gage, Hammond, Harding, Hirsch, Keating, Lybeck, Manning, Mazurek, Neuman, Pinsoneault, Severson, Shaw, Smith, Thayer, Towe, Tveit, Weeding, Yellowtail.
Total 22

Noes: Aklestad, Bengtson, Blaylock, Boylan, Christiaens, Daniels, Farrell, Fuller, Galt, Goodover, Haffey, Halligan, Himsl, Jacobson, Kolstad, Lane, Lynch, McCallum, Mohar, Regan, Stephens, Stimatz, Story, Van Valkenburg, Williams.
Total 25

Excused: Conover.
Total 1

Absent or not voting: Hager, Mr. President.
Total 2

That HB 919 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lynch, McCallum, Mohar, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Van Valkenburg, Williams, Mr. President.
Total 32

Noes: Blaylock, Christiaens, Halligan, Hammond, Hirsch, Lybeck, Manning, Mazurek, Neuman, Shaw, Smith, Thayer, Towe, Tveit, Weeding, Yellowtail.

Total 16

Excused: Conover.
Total 1

Absent or not voting: Hager.
Total 1

SB 110 - That the free conference committee report on SB 110 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HB 616 - That the free conference committee report on HB 616 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HB 949 - That HB 949, third reading copy, be amended as follows:

1. Title, line 5.
Following: "PROGRAM"
Strike: "AND"
Insert: "; AMENDING SECTION 90-6-205, MCA;"

2. Title, line 6.
Following: "DATE"
Insert: "; AND PROVIDING A TERMINATION DATE"

3. Page 1.
Following: line 18
Insert: "Section 2. Section 90-6-205, MCA, is amended to read:

"90-6-205. Coal board — general powers. The board may:

(1) retain professional consultants and advisors;

(2) adopt rules governing its proceedings;

(3) consider applications for grants from the local impact and education trust fund account;

(4) consider applications for loans from the local impact and education trust fund account for periods and interest rates to be determined by the board; and

(5) award grants and loans, subject to 90-6-207, not to exceed in any one year seven-elevenths and after June 30, 1979, seven-fifteenths of the revenue paid into the local impact and education trust fund account, less the appropriation provided in [section 1], to local governmental units, state agencies, and governing bodies of federally recognized Indian tribes to assist local governmental units and federally recognized Indian tribes in meeting the local impact of coal development by enabling them to adequately provide governmental services and facilities which are needed as a direct consequence of coal development. As used in the preceding sentence, "revenue paid" does not include interest income from the account reinvested in the account in trust for the public schools and the university system. Grants and loans may be from current allocations only, and no part of the principal or income of the trust referred to in 90-6-211 may be used for this purpose. The money derived from loan repayments, including the interest thereon, must be deposited to the credit of the local impact fund referred to in 90-6-202.

(6) award a grant to a local government unit for the purpose of paying for part or all of the credit that the local government unit is obligated to give to a major new industrial facility that has prepaid property taxes under 15-16-201. The board must award the grant in accordance with 90-6-206.""

Renumber: subsequent section

4. Page 3.
Following: line 20
Insert: "Section 4. Termination date. Section 2 terminates July 1, 1986."

Amendment passed as follows:

Ayes: Anderson, Bengtson, Boylan, Christiaens, Crippen, Farrell, Fuller, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Keating, Kolstad, Lane, Manning, Regan, Severson, Stephens, Stimatz, Story, Thayer, Tveit, Williams.
Total 27

Noes: Blaylock, Haffey, Lybeck, Lynch, Mazurek, Mohar, Neuman, Smith, Towe, Weeding, Yellowtail, Mr. President.
Total 12

Excused: Conover.
Total 1

Absent or not voting: Aklestad, Brown, Daniels, Eck, Hirsch, Jacobson, McCallum, Pinsoneault, Shaw, Van Valkenburg.
Total 10

That HB 949, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Crippen, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Lane, Lynch, Manning, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Van Valkenburg, Williams, Mr. President.
Total 35

Noes: Blaylock, Hirsch, Lybeck, Mazurek, Neuman, Smith, Towe, Tveit, Weeding, Yellowtail.
Total 10

Excused: Conover.
Total 1

Absent or not voting: Daniels, Eck, Galt, Kolstad.
Total 4

HB 956 - At the request of the Chairman, and without objection, HB 956 be placed below House amendments to SB 427.

HB 954 - At the request of the Chairman, and without objection, HB 954 be moved to the bottom of the board.

SB 427 - That House amendments to SB 427 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HB 956 - That HB 956 be concurred in. Motion carried as follows:

Ayes: Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Farrell, Fuller, Gage, Goodover, Haffey, Halligan, Harding, Jacobson, Keating, Lane, Lybeck, Manning, McCallum, Pinsoneault, Regan, Severson, Shaw, Stimatz, Story, Van Valkenburg, Williams, Mr. President.
Total 28

Noes: Aklestad, Hager, Hammond, Himsl, Mazurek, Mohar, Neuman, Smith, Towe, Weeding, Yellowtail.
Total 11

Excused: Conover.
Total 1

Absent or not voting: Anderson, Daniels, Eck, Galt, Hirsch, Kolstad, Lynch, Stephens, Thayer, Tveit.

Total 10

SB 25 - That the Governor's amendments to SB 25 be not concurred in. Motion carried as follows:

Ayes: Aklestad, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Eck, Farrell, Fuller, Gage, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Smith, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 40

Noes: None.
Total 0

Excused: Conover.
Total 1

Absent or not voting: Anderson, Daniels, Galt, Haffey, Hirsch, Kolstad, Regan, Shaw, Stephens.
Total 9

SB 400 - That the Governor's amendments to SB 400 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Fuller moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

COMMITTEES (Jacobson, Chairman): 4/23/85

Hereby appoint to the Legislative Finance Committee: George McCallum, Fred Van Valkenburg

Hereby appoint to the Revenue Oversight Committee: Bob Brown, Bruce Crippen, Tom Hager, Bill Norman, Joe Mazurek, Tom Towe

Hereby appoint to the Western States Forestry Task Force: Elmer Severson, Leo Lane

Hereby appoint to the Coal Tax Oversight Subcommittee: John Anderson, Jr., B.F. (Chris) Christiaens

TAXATION (Towe, Chairman): 4/23/85

HB 826, third reading copy, be amended as follows:

1. Title, line 6.
Following: "OF"
Strike: "GOODS AND"

2. Title.
Following: line 6
Strike: "EXEMPT FROM"
Insert: "SUBJECT TO"

3. Page 2, lines 7 through 15.
Following: "Section 1." on line 7
Strike: "Definitions"
Insert: "Resort community defined"
Following: "act]," on line 7
Strike: remainder of line 7 through "Resort" on line 15
Insert: ""resort"
Renumber: subsequent subsections

4. Page 2, line 17.
Following: "~~1,500~~"
Strike: "$2,500"
Insert: "2,500"

5. Page 2, lines 18 and 19.
Following: "or" on line 18
Strike: "official population"
Insert: "federal"
Following: "estimate" on line 19
Strike: "prepared by the state of Montana"

6. Page 3, line 8.
Following: "—"
Strike: "exemption from"
Insert: "services subject to"

7. Page 3, lines 12 through 19.
Following: "of" on line 12
Strike: "all goods and"
Following: "community" on line 13
Strike: remainder of line 13 through end of line 19
Insert: "by the following establishments:

(a) hotels, motels, and other lodging or camping facilities;

(b) restaurants, fast food stores, and other food service establishments; and

(c) taverns, bars, night clubs, lounges, and other public establishments that serve beer, wine, liquor, or other alcoholic beverages by the drink."

8. Page 6, line 8.
Following: "of"
Strike: "goods and"
Following: "are"
Strike: "exempt from"
Insert: "subject to"

And, as amended, be concurred in. Report adopted.

Adverse Committee Reports

TAXATION (Towe, Chairman): 4/23/85
SJR 40, do not pass. Adverse committee report adopted as follows:

Ayes: Blaylock, Christiaens, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Halligan, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Stimatz, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 27

Noes: Aklestad, Anderson, Bengtson, Boylan, Brown, Crippen, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams.
Total 20

Excused: Conover.
Total 1

Absent or not voting: Galt, Kolstad.
Total 2

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill No. 775
Report No. 1, April 22, 1985

Mr. President:

We, your Free Conference Committee on House Bill No. 775 met and considered:

House Bill No. 775.

We recommend as follows:

That House Bill No. 775, reference copy, be amended as follows:

1. Page 1, line 15.
Following: "money."
Insert: "(1)"

2. Page 1, lines 21 and 22.
Strike: line 21 in its entirety through "POOL" on line 22
Insert: "earned"

3. Page 2.
Following: line 1
Insert: "(2) The forest reserve money shall be invested and all investment earnings credited to the forest reserve account."

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Mohar, Chairman	Harbin
	Harp
Harding	Peterson
	Ream

Free Conference Committee
on Senate Bill No. 321
Report No. 1, April 23, 1985

Mr. President:

We, your Free Conference Committee on Senate Bill No. 321 met and considered:

Senate Bill No. 321.

We recommend as follows:

That Senate Bill No. 321, reference copy, be amended as follows:

1. Title, line 8.
Following: "SECTIONS"
Insert: "46-9-101,"

2. Title, lines 9 and 10.
Following: "MCA" on line 9
Strike: "; AND REPEALING SECTION 46-9-101, MCA"

3. Page 1.
Following: line 12
Insert: "Section 1. Section 46-9-101, MCA, is amended to read:

"46-9-101. Definition and purpose. "Bail" is the security given for the primary purpose of insuring the presence of the defendant in a pending criminal proceeding.""
Renumber: subsequent sections

4. Page 5, line 25 through line 1, page 6.
Strike: section 4 in its entirety

And that this Free Conference Committee report be adopted.

For the Senate:

Fuller, Chairman
Mazurek
B. Brown

For the House:

Cobb
Krueger
Mercer
Miles

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 23, 1985

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Vincent:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return Senate Bill No. 289, "AN ACT TO PROVIDE THAT ANY ADMINISTRATIVE RULE ADOPTED BY ~~A STATE AGENCY~~ THE BOARD OF PUBLIC EDUCATION THAT IMPOSES ~~NEW DUTIES~~ A SUBSTANTIAL FINANCIAL IMPACT ON A SCHOOL DISTRICT IS NOT EFFECTIVE UNTIL THE LEGISLATURE PROVIDES A ~~SPECIFIC~~ MEANS OF FINANCING THE ~~NEW DUTIES; AMENDING SECTION 1-2-113, MCA~~ RULE," without my signature and recommend the attached amendments for the following reasons.

As passed, Senate Bill No. 289 provides that any administrative rule adopted by the Board of Public Education that imposes a substantial financial impact on a school district is not effective until the next Legislature

funds the implementation of the rule. The bill further provides that the board shall "declare" the rule "advisory" if the implementation is not funded by the Legislature. Senate Bill No. 289 also incorrectly interchanges the use of the "Board of Education" with the "Board of Public Education."

The amendments I am proposing require that the financial impact of the proposed rules be determined prior to subjecting them to the Montana Administrative Procedures Act (MAPA). This pre-rulemaking determination will result in substantial cost and time savings to the Board of Public Education and ultimately, the taxpayers. If the Board determines that the financial impact of the proposed rule is substantial, it will not waste time and money sending the rules through the rulemaking process with the possible result of being declared advisory later in time.

Because MAPA does not provide for an "advisory" rule or the "declaration" of such a rule, the amendments I am proposing will conform the contemplated procedures to the requirements of MAPA. Finally, a proposed amendment also deletes the reference to the Board of Education since the intent of the bill is for the Board of Public Education, and not the Board of Education, to develop the rules, determine their financial impact, and finally, to adopt the rules.

I urge your concurrence in these amendments.

Governor's Proposed Amendments
to SB 289

1. Title.
Following: line 10
Insert: "PROPOSED"
Following: "RULE"
Strike: "ADOPTED"
Insert: "DEVELOPED"

2. Page 1, line 21.
Following: "When"
Strike: "adopting"
Insert: "developing"

3. Page 1.
Following: line 23
Strike: "adopt"
Insert: "develop"

4. Page 2.
Following: line 2
Strike: "of education"

5. Page 2.
Following: line 4
Strike: "adopting"
Insert: "completing"

6. Page 2, line 6.
Following: "(3)"
Strike: "(a)"
Following: "of the"
Insert: "proposed"

7. Page 2, line 8.
Following: "board"
Insert: "may not proceed to rulemaking and"

8. Page 2, line 9.
Following: "of the"
Insert: "proposed"

9. Page 2, line 13 through page 3, line 1.
Strike: subsections (b) and (c) in their entirety

10. Page 3, line 2.
Following: "A"
Insert: "proposed"
Following: "found"
Insert: "by the board"

11. Page 3, lines 3 and 4.
Following: "districts" on line 3
Strike: "becomes" on line 3 through "4" on line 4
Insert: "or funded by the legislature may proceed to rulemaking"

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Free conference committee report rejected: 4/23/85

SB 221, free conference committee report

MOTIONS

Senator Van Valkenburg moved that the Senate recess, subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 4:26 p.m.

Senate reconvened at 5:18 p.m.

REPORTS OF STANDING COMMITTEES

FINANCE AND CLAIMS (Regan, Chairman): 4/23/85
HB 513, be concurred in. Report adopted.

MOTIONS

Senator Van Valkenburg moved that HB 947 be taken from third reading this legislative day and that it be placed on second reading this legislative day. Motion carried unanimously.

Senator Neuman excused at this time.

Senator Van Valkenburg moved that consideration on HB 198 and HB 410, on second reading this legislative day, be passed. Motion carried as follows:

Ayes: Bengtson, Blaylock, Boylan, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Stephens, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 31

Noes: Aklestad, Anderson, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Severson, Shaw, Smith, Story, Thayer, Tveit.

Total 19

Paired: Conover, Neuman, Ayes; Crippen, Gage, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Fuller in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Senator Neuman present at this time.

HB 375 - That HB 375 be concurred in. Senator Shaw made a substitute motion that HB 375 be not concurred in. Substitute motion failed as follows:

Ayes: Aklestad, Anderson, Crippen, Farrell, Gage, Galt, Goodover, Hammond, Harding, Himsl, Keating, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 18

Noes: Bengtson, Blaylock, Boylan, Brown, Christiaens, Daniels, Eck, Fuller, Haffey, Hager, Halligan, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 31

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

That HB 375, third reading copy, be amended as follows:

1. Title, line 6.
Following: "PROVIDING"
Insert: "THAT THE GOVERNOR BY EXECUTIVE ORDER ESTABLISH"

2. Page 5, line 11.
Following: "1986"
Insert: ", established by executive order pursuant to [section 9],"

3. Page 5, lines 12 through 15.
Strike: matrix heading in its entirety

4. Page 7, line 16 through page 8, line 15.
Strike: remainder of section 3 in its entirety

5. Page 8, line 18.
Following: "1987"
Insert: ", established by executive order pursuant to [section 9],"

6. Page 8, lines 19 through 22.
Strike: matrix heading in its entirety

7. Page 10, line 23 through line 22 of page 11.
Strike: remainder of section 4 in its entirety

8. Page 11, line 25.
Following: "1986"
Insert: ", established by executive order pursuant to [section 9],"

9. Page 12, lines 1 through 7.
Strike: matrix heading in its entirety

10. Page 12, line 19 through page 13, line 4.
Strike: remainder of subsection (1)(b) in its entirety

11. Page 13, line 5.
Following: "1986"
Insert: ", established by executive order pursuant to [section 9],"

12. Page 13, lines 7 through 13.
Strike: matrix heading in its entirety

13. Page 13, line 25 through page 14, line 10.
Strike: remainder of subsection (1)(b) in its entirety

14. Page 14, line 11.
Following: "1987"
Insert: ", established by executive order pursuant to [section 9],"

15. Page 14, lines 13 through 19.
Strike: matrix heading in its entirety

16. Page 15, lines 6 through 16.
Strike: remainder of subsection (2)(a) in its entirety

17. Page 15, line 17.
Following: "1987"
Insert: ", established by executive order pursuant to [section 9],"

18. Page 15, lines 19 through 25.
Strike: matrix heading in its entirety

19. Page 16, lines 12 through 22.
Strike: remainder of subsection (2)(b) in its entirety

20. Page 16, line 25.
Following: "1986"
Insert: ", established by executive order pursuant to [section 9],"

21. Page 17, lines 1 through 3.
Strike: matrix heading in its entirety

22. Page 17, line 23 through line 7 of page 18.
Strike: remainder of subsection (1) in its entirety

23. Page 18, line 8.
Following: "1987"
Insert: ", established by executive order pursuant to [section 9],"

24. Page 18, lines 9 through 11.
Strike: matrix heading in its entirety

25. Page 19, lines 6 through 15.
Strike: remainder of subsection (2) in its entirety

26. Page 19, line 18.
Following: "1986"
Insert: ", established by executive order pursuant to [section 9],"

27. Page 19, lines 19 through 21.
Strike: matrix heading in its entirety

28. Page 21, lines 1 through 15.
Strike: remainder of subsection (1) in its entirety

29. Page 21, line 16.
Following: "1987"
Insert: ", established by executive order pursuant to [section 9],"

30. Page 21, lines 17 through 19.
Strike: matrix heading in its entirety

31. Page 22, line 24 through page 23, line 13.
Strike: remainder of subsection (2) in its entirety

32. Page 24.
Following: line 5
Insert: "NEW SECTION. Section 9. Pay matrixes established by executive order. The Governor, by executive order, shall establish pay schedules for 2-18-311 through 2-18-315 subject to the appropriations and provisions set forth in [section 10]."
Renumber: subsequent sections

33. Page 24, line 6.
Following: "appropriation."
Insert: "(1)"

34. Page 24, line 7.
Strike: "$16,500,000"
Insert: "$8,000,000"

35. Page 24, line 11.
Strike: "$9,600,000"
Insert: "$4,650,000"

36. Page 24.
Following: line 12
Insert: "(2) Not more than two-thirds of the appropriation made in subsection (1) may be spent in the fiscal year ending June 30, 1987.

(3) From the appropriation made in subsection (1), the Office of Budget and Program Planning is authorized to increase expenditure authority of the vocational-technical centers, community colleges, and the Department of Institutions for the community health centers for the pay plan as established by executive order of the Governor.

(4) In funding employee compensation plans, vacancy savings calculations must be the same such calculations used to determine appropriations for each agency or program in House Bill 500, 49th Legislature."

37. Page 24.
Following: line 15
Insert: "NEW SECTION. Section 12. Codification — Code Commissioner instructions. (1) Section 9 is intended to be codified as an integral part of Title 2, chapter 18, parts 1 through 3 and 10, and

the provisions of Title 2, chapter 18, parts 1 through 3 and 10, apply to section 9.

(2) The Code Commissioner is instructed to include the pay schedules adopted by the Governor pursuant to section 9 in the text of 2-18-311 through 2-18-315."

Amendment failed as follows:

Ayes: Aklestad, Anderson, Crippen, Farrell, Galt, Goodover, Hager, Hammond, Harding, Keating, Kolstad, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 18

Noes: Bengtson, Blaylock, Boylan, Brown, Christiaens, Daniels, Eck, Fuller, Gage, Haffey, Halligan, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 31

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

That HB 375 be concurred in. Motion carried as follows:

Ayes: Bengtson, Blaylock, Boylan, Brown, Christiaens, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 29

Noes: Aklestad, Anderson, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 20

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

Senator Mazurek in the Chair.

HB 954 - That HB 954, Finance and Claims Standing Committee report of 4/23/85, be amended as follows:

1. Amendment No. 3.
Following: "Insert: "7-2-2201,"
Insert: "7-2-2202,"

2. Amendment No. 5.

a. Page 2.
Following: section 1
Insert: "Section 2. Section 7-2-2202, MCA, is amended to read:

"7-2-2202. Limitations on creation of new counties. (1) No new county shall be established which shall reduce any county to an assessed valuation of less than $12 million, inclusive of all assessed valuation as shown by the last preceding assessment.

(2) No new county shall be formed which contains an assessed valuation of property less than $10 million, inclusive of all assessed valuation, as shown by the last preceding assessment of the county or counties from which such new county is to be established.

(3) No new county shall be established which shall reduce the area of any existing county from which territory is taken to form such new county to less than ~~1,200~~ 500 square miles of surveyed land, exclusive of all forest reserve and Indian reservations within old counties.

(4) No territory shall be taken from one county and added to another county unless its surveyed area is greater than 49 square miles;

~~(4)~~(5) No new county shall be formed which contains less than ~~1,000~~ 250 square miles of surveyed land, exclusive of all forest reserve land or Indian reservations not open for settlement.""

Renumber: subsequent sections

b. Page 3, section 3.
Following: subsection (1)(a)
Insert: "(b) a general map, on a separate page or pages, which with shaded areas or darkened boundary lines will display to prospective petition signers the general outlines of the territory described in subsection (a);"
Renumber: subsequent subsections

c. Page 3, section 3.
Following: "formed" on line 4 of subsection (1)(c)
Strike: ", and"
Insert: ";"
Following: "formation;" on line 6 of subsection (1)(c)
Insert: "and a statement that the surveyed area of the territory proposed to be transferred is greater than 49 square miles;"

d. Page 4, section 4.
Following: "part." on line 4 of subsection (2)
Insert: "The county attorney shall cooperate with and provide necessary services to the person who submitted the petition to ensure that an adequate and valid legal description is written for the proposed new county boundaries."

e. Page 9, section 13.
Following: subsection (2)(c)
Insert: "(3) If the proposed new county is to be an existing county enlarged by territory taken from one or more other counties, the question of the election of the county seat may not be submitted to the electors at the election provided for in 7-2-2215."

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

That HB 954, as amended, be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Boylan, Christiaens, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Manning, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 36

Noes: Aklestad, Blaylock, Brown, Daniels, Himsl, Lybeck, Mazurek, Mohar, Neuman, Regan, Stimatz, Yellowtail.
Total 12

Excused: Conover.
Total 1

Absent or not voting: Lynch.
Total 1

Senator Fuller in the Chair.

HB 513 - That HB 513 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Blaylock, Regan.
Total 2

Excused: Conover.
Total 1

Absent or not voting: Galt, Lynch.
Total 2

HB 826 - That HB 826, third reading copy, be amended as follows:

1. Page 2.
Following: line 8
Insert: "(1) "Luxuries" means any gift item, luxury item, or other item normally sold to the public or to transient visitors or tourists. The term does not include food purchased unprepared or unserved, medicine, medical supplies and services, or any necessities of life."
Renumber: subsequent subsections

2. AMEND SENATE TAXATION COMMITTEE REPORT OF APRIL 23 ON HOUSE BILL 826 AS FOLLOWS:

a. Amendment Nos. 1 and 3.

Strike: amendment nos. 1 and 3 in their entirety

b. Amendment No. 6.
Insert: "goods and" before "services subject to" on insert line

c. Amendment No. 7.
Following: "lines" on line 1
Strike: "12"
Insert: "13"
Strike: "good and" on line 3
Following: "establishments;" in subsection (b)
Strike: "and"
Following: "drink" in subsection (c)
Strike: "."
Insert: "; and

(d) establishments that sell luxuries must collect a tax on such luxuries."

d. Amendment No. 8.
Strike: lines 2 and 3 of the amendment

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Eck, Van Valkenburg.
Total 2

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

That HB 826, as amended, be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Boylan, Brown, Crippen, Eck, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Mazurek, McCallum, Pinsoneault, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Mr. President.
Total 34

Noes: Aklestad, Blaylock, Christiaens, Daniels, Halligan, Jacobson, Manning, Mohar, Neuman, Regan, Severson, Weeding, Yellowtail.
Total 13

Excused: Conover.
Total 1

Absent or not voting: Farrell, Lynch.
Total 2

HB 947 - That HB 947, Finance and Claims Standing Committee report on 4/20/85, be amended as follows:

1. AMENDMENT NO. 6
Page 4, lines 2 and 3 of inserted material
Strike: "a slow sand filter on Midvale Creek necessary for"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

That HB 947, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Fuller moved the adoption of the committee report. Report adopted.

Senator Lynch excused at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 922 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz,

Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Conover, Lynch.
Total 2

Absent or not voting: None.
Total 0

HB 928 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Goodover, Shaw.
Total 2

Excused: Conover, Lynch.
Total 2

Absent or not voting: None.
Total 0

HB 938 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Conover, Lynch.
Total 2

Absent or not voting: None.
Total 0

HB 236, free conference committee report, adopted as follows:

Ayes: Anderson, Bengtson, Boylan, Christiaens, Crippen, Daniels, Farrell, Fuller, Galt, Goodover, Haffey, Halligan, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, McCallum, Mohar, Pinsoneault, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Williams, Mr. President.
Total 30

Noes: Aklestad, Blaylock, Brown, Eck, Gage, Hager, Hammond, Harding, Himsl, Lybeck, Mazurek, Neuman, Regan, Severson, Shaw, Smith, Towe, Weeding, Yellowtail.

Total 19

Paired: Lynch, Aye; Brown, No.

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HB 686, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Conover, Lynch.
Total 2

Absent or not voting: None.
Total 0

HB 717, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Conover, Lynch.
Total 2

Absent or not voting: None.
Total 0

Senator Severson excused at this time.

HB 873, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.

Total 0

Excused: Conover, Lynch, Severson.
Total 3

Absent or not voting: None.
Total 0

Senator Severson present at this time.

HB 923, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Conover, Lynch.
Total 2

Absent or not voting: None.
Total 0

HB 919 concurred in as follows:

Ayes: Anderson, Bengtson, Boylan, Brown, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, McCallum, Mohar, Pinsoneault, Regan, Shaw, Stephens, Stimatz, Story, Van Valkenburg, Williams, Mr. President.
Total 31

Noes: Aklestad, Blaylock, Christiaens, Eck, Hammond, Hirsch, Lybeck, Manning, Mazurek, Neuman, Severson, Smith, Thayer, Towe, Tveit, Weeding, Yellowtail.
Total 17

Excused: Conover, Lynch.
Total 2

Absent or not voting: None.
Total 0

SB 110, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Conover, Lynch.

Total 2

Absent or not voting: None.
Total 0

HB 616, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Conover, Lynch.
Total 2

Absent or not voting: None.
Total 0

HB 949 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Manning, McCallum, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Williams, Mr. President.
Total 40

Noes: Blaylock, Lybeck, Mazurek, Mohar, Neuman, Towe, Weeding, Yellowtail.
Total 8

Excused: Conover, Lynch.
Total 2

Absent or not voting: None.
Total 0

SB 427, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Shaw.
Total 1

Excused: Conover, Lynch.
Total 2

Absent or not voting: None.
Total 0

HB 956 concurred in as follows:

Ayes: Anderson, Bengtson, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, McCallum, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Williams, Mr. President.
Total 35

Noes: Aklestad, Blaylock, Boylan, Hager, Hammond, Hirsch, Mazurek, Mohar, Neuman, Smith, Tveit, Weeding, Yellowtail.
Total 13

Excused: Conover, Lynch.
Total 2

Absent or not voting: None.
Total 0

SB 400, Governor's amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Conover, Lynch.
Total 2

Absent or not voting: None.
Total 0

HB 375 concurred in as follows:

Ayes: Bengtson, Blaylock, Boylan, Brown, Christiaens, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 30

Noes: Aklestad, Anderson, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, Severson, Shaw, Smith, Stephens, Thayer, Tveit.
Total 19

Paired: Lynch, Aye; Aklestad, No.

Excused: Conover.
Total 1

Absent or not voting: None.
Total 0

HB 954 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Christiaens, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond,

Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Manning, McCallum, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 39

Noes: Blaylock, Brown, Daniels, Himsl, Lybeck, Mazurek, Mohar, Neuman, Yellowtail.
Total 9

Excused: Conover, Lynch.
Total 2

Absent or not voting: None.
Total 0

HB 513 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Blaylock, Himsl, Regan.
Total 3

Excused: Conover, Lynch.
Total 2

Absent or not voting: None.
Total 0

HB 826 concurred in as follows:

Ayes: Anderson, Bengtson, Boylan, Brown, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Williams, Mr. President.
Total 39

Noes: Aklestad, Blaylock, Christiaens, Daniels, Hammond, Manning, Neuman, Weeding, Yellowtail.
Total 9

Excused: Conover, Lynch.
Total 2

Absent or not voting: None.
Total 0

HB 947 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 45

Noes: Blaylock, Towe, Yellowtail.

Total 3

Excused: Conover, Lynch.
Total 2

Absent or not voting: None.
Total 0

At the request of Senator Mohar, and without objection, Senator Mohar's vote on HB 513 be recorded as yes.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 3.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill No. 390
Report No. 1, April 23, 1985

Mr. President:

We, your Free Conference Committee on Senate Bill No. 390 met and considered:

Senate Bill No. 390.

We recommend as follows:

That Senate Bill No. 390, reference copy, be amended as follows:

1. Title, lines 19 and 20.
Strike: "AN" on line 19
Strike: "DATE" on line 20
Insert: "DATES"

2. Page 2, line 19.
Following: "proceeds."
Strike: "Each"
Insert: "(1) Except as provided in subsection (2), each"
Renumber: subsequent subsections

3. Page 4, line 8.
Following: "subsection"
Strike: "(3)"
Insert: "(1)(c)"

4. Page 4.
Following: line 10
Insert: "(2) Each operator having new production as defined in 15-23-601 shall, on or before the last day of the months of October, January, April, and July, make out and deliver to the department of revenue a statement of the gross sales proceeds of such new production from each well owned or worked by such person during the preceding calendar quarter. The statement must be in the form prescribed by the department and verified as provided in subsection (1). The statement shall show the information required in subsections (1)(a) through (1)(d)."

5. Page 7, line 21.
Following: "(2)(b)"
Insert: ", divided by the appropriate tax rate and multiplied by 60%,"

6. Page 7, line 24.

Following: "shall"
Insert: ", except as provided in [section 20],"

7. Page 33, line 21.
Following: "UNDER"
Strike: "15-16-102"
Insert: "15-23-115"

8. Page 33, line 24.
Strike: "15-16-102"
Insert: "15-23-104"

9. Page 14, line 15.
Page 17, line 11.
Page 19, line 5.
Page 20, line 23.
Page 23, line 16.
Page 29, line 10.
Following: "proceeds"
Insert: "taxes"

10. Page 34, line 11.
Following: "effective"
Strike: "date"
Insert: "dates"

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Mazurek, Chairman	Gilbert
Lybeck	Nathe
Gage	Poff
	Schye

Senator Van Valkenburg moved that the Senate adjourn until 10:00 a.m., April 24, 1985.

Motion carried.

Senate adjourned at 7:09 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

EIGHTY-NINTH LEGISLATIVE DAY

Helena, Montana
April 24, 1985

Senate Chambers
State Capitol

Senate convened at 10:00 a.m., President Norman presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Keating, Mazurek, Regan, Van Valkenburg, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 4/22/85
Examined by the sponsor (Story) and found to be correct: SB 22.
Examined by the sponsor (Towe) and found to be correct: SB 54.
4/23/85
Examined by the sponsor (Boylan) and found to be correct: SB 129.
Examined by the sponsor (Kolstad) and found to be correct: SB 178.
Examined by the sponsor (Mazurek) and found to be correct: SB 349.
Examined by the sponsor (Mohar) and found to be correct: SJR 33.
Examined by the sponsor (Hager) and found to be correct: SB 37.
Correctly enrolled: SB 22.
Signed by the President at 10:30 a.m., 4/23/85: SB 22.
Signed by the President at 2:30 p.m., 4/23/85: HB 607, HB 812, HJR 51.
Signed by the President at 5:00 p.m., 4/23/85: HB 44, HB 108, HB 320, HB 394, HB 585, HB 608, HB 667, HB 684.
Delivered to the Governor for his approval at 9:45 a.m., 4/23/85: SB 66, SB 77, SB 79, SB 93, SB 165, SB 319, SB 379, SB 416.
Delivered to the Governor for his approval at 11:00 a.m., 4/23/85: SB 22.
Correctly enrolled: SB 54, SB 129, SB 178, SB 349, SJR 33, SJR 37.
4/24/85
Delivered to the Governor for his approval at 9:00 a.m., 4/24/85: SB 26, SB 109, SB 204, SB 250, SB 361, SB 452, SB 462.

Senators Keating, Regan, and Van Valkenburg present at this time.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill No. 449
Report No. 1, April 23, 1985

Mr. President:

We, your Free Conference Committee on Senate Bill No. 449 met and considered:

Senate Bill No. 449.

We recommend as follows:

That Senate Bill No. 449, reference copy, be amended as follows:

1. Title, line 6.
Strike: "REQUIRING"
Insert: "PRESUMING"

2. Title, line 7.
Strike: "CERTAIN"

3. Title, line 13.

Strike: "AND A TERMINATION DATE"

4. Page 3.
Following: line 2
Insert: "NEW SECTION. Section 2. Written report when no arrest made in domestic violence situation. When a peace officer is called to the scene of a reported incident of domestic violence but he does not make an arrest, he shall file a written report with the officer commanding the law enforcement agency employing him, setting forth the reason or reasons for his decision."
Renumber: subsequent sections

5. Page 3, line 10.
Following: "~~with~~"
Insert: "immediate notice of any legal rights and remedies available. The notice must include furnishing the victim with"
Strike: "NOTICE"
Insert: "statement"

6. Page 4, line 12.
Following: "~~member~~"
Insert: "or aggravated assault against a family member or household member"

7. Page 5, line 7.
Strike: "SHALL"
Insert: "may"

8. Page 5, lines 11 through 13.
Strike: "ANYTIME WITHIN A 4-HOUR PERIOD PRIOR TO THE ARREST AND THAT THERE IS A STRONG POSSIBILITY OF PUBLIC DANGER IF NO ARREST IS MADE,"
Insert: "or aggravated assault against a family member or household member"

9. Page 5, line 19.
Following: "ARREST."
Insert: "Arrest is the preferred response in domestic abuse cases involving injury to the victim, use or threatened use of a weapon, violation of a restraining order, or other imminent danger to the victim."

10. Page 6, line 22.
Strike: section 8 in its entirety

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Regan, Chairman	Bergene
Mazurek	Eudaily
	Keenan
	Waldron

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bills concurred in and returned to the Senate: 4/23/85

SB 467, introduced by Galt, Mazurek

SJR 39, introduced by Haffey, et al.

SJR 41, introduced by Mazurek, Galt

Senate bills concurred in as amended and returned to the Senate for concurrence in House amendments: 4/23/85

SB 72, introduced by Hager

SB 377, introduced by Gage

House bills passed and transmitted to the Senate for concurrence: 4/23/85

HJR 53, introduced by Manuel, et al.

HJR 62, introduced by Hannah, et al.

The House, on 4/23/85, acceded to the request of the Senate and appointed a free conference committee to meet with a committee from the Senate to confer on HB 924.

The Speaker appointed the following members:

Representative Brandewie
Representative Harbin
Representative Howe
Representative Kitselman

The House, on 4/23/85, failed to concur in Senate amendments to HB 870 and appointed a conference committee, requesting that the Senate appoint a committee to confer on Senate amendments to HB 870.

The Speaker appointed the following members:

Representative Addy
Representative Brown
Representative Gilbert
Representative Wallin

The House, on 4/23/85, failed to concur in Senate amendments to HB 381 and appointed a conference committee, requesting that the Senate appoint a committee to confer on Senate amendments to HB 381.

The Speaker appointed the following members:

Representative Moore
Representative Peck
Representative Ream
Representative Swift

Senate amendments to House bills concurred in: 4/23/85

HB 295, introduced by Harrington, et al.

HB 633, introduced by Lory, et al.

HB 909, introduced by Manuel

HB 932, introduced by Spaeth, Conover

HB 942, introduced by Winslow

HB 945, introduced by Pavlovich, et al.

Governor's amendments to Senate bill concurred in and returned to the Senate: 4/23/85

SB 268, introduced by Harbin

Governor's amendments to Senate bill not concurred in and returned to the Senate: 4/23/85

SB 392, introduced by Waldron, et al.

The House, on 4/23/85, failed to concur in Governor's amendments to SB 392 and appointed a free conference committee, requesting that the Senate appoint a committee to confer on SB 392.

The Speaker appointed the following members:

Representative Addy
Representative Fritz
Representative Hannah
Representative Mercer

Governor's amendments to House bill concurred in: 4/23/85

HB 739, introduced by Iverson, et al.

Conference committee report adopted: 4/23/85

SB 13, conference committee report

Free conference committee reports adopted: 4/23/85

HB 236, free conference committee report

HB 616, free conference committee report

HB 681, free conference committee report

HB 686, free conference committee report

HB 717, free conference committee report

HB 873, free conference committee report

SB 110, free conference committee report

SB 142, free conference committee report

HB 727, free conference committee report

HB 775, free conference committee report

SB 321, free conference committee report

SB 390, free conference committee report

Free conference committee report rejected: 4/23/85

HB 923, free conference committee report

The House, on 4/23/85, rejected the free conference committee report on SB 116 and appointed a new free conference committee, requesting that the Senate appoint a committee to confer on SB 116.

The Speaker appointed the following members:

Representative Darko
Representative Hannah
Representative O'Hara
Representative Peck

MOTIONS

Senator Van Valkenburg moved that the rules be temporarily suspended for the purpose of receiving and accepting House amendments to SB 370 and House amendments to SJR 36. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mohar, Neuman, Regan, Severson, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Goodover, Shaw.
Total 2

Excused: Mazurek.
Total 1

Absent or not voting: Gage, McCallum, Pinsoneault, Story.
Total 4

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Galt in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 792 - Senator Van Valkenburg moved that HB 792 be moved to the top of the board. Motion carried unanimously.

That HB 792 be concurred in. Motion failed as follows:

Ayes: Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Eck, Fuller, Haffey, Hager, Jacobson, Keating, Lane, Lybeck, Manning, Regan, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 22

Noes: Aklestad, Anderson, Christiaens, Daniels, Farrell, Gage, Galt, Goodover, Halligan, Hammond, Harding, Himsl, Hirsch, Kolstad, Lynch, McCallum, Mohar, Neuman, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Weeding.
Total 26

Excused: Mazurek.
Total 1

Absent or not voting: Pinsoneault.
Total 1

Senator Van Valkenburg moved that HB 792 be indefinitely postponed. Motion carried as follows:

Ayes: Aklestad, Anderson, Christiaens, Conover, Daniels, Farrell, Gage, Galt, Goodover, Halligan, Hammond, Harding, Himsl, Hirsch, Kolstad, Lynch, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Weeding, Williams, Mr. President.
Total 30

Noes: Bengtson, Blaylock, Boylan, Brown, Crippen, Eck, Fuller, Haffey, Hager, Jacobson, Keating, Lane, Lybeck, Manning, Regan, Stimatz, Towe, Van Valkenburg, Yellowtail.
Total 19

Excused: Mazurek.

Total 1

Absent or not voting: None.
Total 0

Senator Mazurek present at this time.

SB 13 - That the conference committee report on House amendments to SB 13 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 116 - That the free conference committee report on SB 116 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 321 - That the free conference committee report on SB 321 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 390 - That the free conference committee report on SB 390 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senators Keating, Regan, and Van Valkenburg excused at this time.

HB 727 - That the free conference committee report on HB 727 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Keating, Regan, Van Valkenburg.
Total 3

Absent or not voting: None.
Total 0

HB 775 - That the free conference committee report on HB 775 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Keating, Regan, Van Valkenburg.

Total 3

Absent or not voting: None.
Total 0

Senator Christiaens moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Galt moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Christiaens moved that the Senate recess, subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 10:34 a.m.

Senate reconvened at 11:18 a.m.

Senator Christiaens moved that HB 198, HB 410, and HB 704 be moved to the bottom of the board. Motion carried unanimously.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Christiaens moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Galt in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 57 - That HJR 57 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Keating, Regan, Van Valkenburg.
Total 3

Absent or not voting: None.
Total 0

HJR 58 - That HJR 58 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.

Total 0

Excused: Keating, Regan, Van Valkenburg.
Total 3

Absent or not voting: None.
Total 0

SB 289 - That the Governor's amendments to SB 289 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Keating, Regan, Van Valkenburg.
Total 3

Absent or not voting: None.
Total 0

HB 550 - That the Governor's amendments to HB 550 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Keating, Regan, Van Valkenburg.
Total 3

Absent or not voting: None.
Total 0

HB 567 - That the Governor's amendments to HB 567 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Keating, Regan, Van Valkenburg.
Total 3

Absent or not voting: None.
Total 0

HB 798 - That the Governor's amendments to HB 798 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Keating, Regan, Van Valkenburg.
Total 3

Absent or not voting: None.
Total 0

SB 449 - That the free conference committee report on SB 449 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Keating, Regan, Van Valkenburg.
Total 3

Absent or not voting: None.
Total 0

SB 370 - Senator Christiaens moved that House amendments to SB 370 be moved to the bottom of the board. Motion carried unanimously.

SJR 36 - That House amendments to SJR 36 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Keating, Regan, Van Valkenburg.
Total 3

Absent or not voting: None.
Total 0

HB 739 - That the Governor's amendments to HB 739 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Keating, Regan, Van Valkenburg.
Total 3

Absent or not voting: None.
Total 0

Senator Christiaens moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Galt moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 7.

FIRST READING OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SJR 44, introduced by Christiaens, Stephens, Norman. Referred to Committee on Taxation.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Daniels moved that the President be empowered to appoint a free conference committee to meet with a committee from the House of Representatives to confer on SB 392. Motion carried unanimously.

The President appointed the following members:

Senator Daniels, Chairman
Senator Pinsoneault
Senator Shaw

Senator Fuller moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on Senate amendments to HB 381. Motion carried unanimously.

The President appointed the following members:

Senator Jacobson, Chairman
Senator Stimatz
Senator Farrell

Senator Fuller moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on Senate Amendments to HB 870. Motion carried unanimously.

The President appointed the following members:

Senator Halligan, Chairman
Senator Eck
Senator Brown

Senator Christiaens moved that the Senate recess until 1:00 p.m. Motion carried unanimously.

Senate recessed at 11:44 a.m.

Senate reconvened at 1:05 p.m.

Senators Keating and Van Valkenburg present at this time.

REPORTS OF STANDING COMMITTEES

TAXATION (Towe, Chairman): 4/24/85
SJR 44, do pass. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman): 4/16/85

Having had under consideration the Governor's appointment of the following member of the Board of Architects:

Jerrell D. Ballas, Missoula, Montana, appointed for a term ending March 27, 1988

Respectfully report as follows:

That said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Montana Arts Council:

James M. Colla, Great Falls, Montana, appointed for a term ending February 1, 1987
Emily S. Day, Wolf Point, Montana, appointed for a term ending February 1, 1990
Howard Obenhoff, Butte, Montana, appointed for a term ending February 1, 1990
Carolyn B. Valacich, Great Falls, Montana, appointed for a term ending February 1, 1990
James Whitlock, Hamilton, Montana, appointed for a term ending February 1, 1990

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Coal Board:

Darcy Galasso, Butte, Montana, appointed for a term ending January 2, 1989

Nell Kubesh, Glendive, Montana, appointed for a term ending January 2, 1989
Hershel Robbins, Roundup, Montana, appointed for a term ending January 2, 1989
Jack Stevens, Great Falls, Montana, appointed for a term ending January 2, 1989

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointment of the following member of the Board of Dentistry:

Dr. R.W. Rector, Havre, Montana, appointed for a term ending March 29, 1990

Respectfully report as follows:

That said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Hail Insurance:

Adrien Long, Wolf Point, Montana, appointed for a term ending April 18, 1987
Troy Martin, Winifred, Montana, appointed for a term ending April 18, 1986

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Hardrock Mining Impact Board:

James E. Edwards, Anaconda, Montana, appointed for a term ending January 2, 1989
Duane E. Friez, Glendive, Montana, appointed for a term ending January 2, 1989
Leonard H. McKinney, Lewistown, Montana, appointed for a term ending January 2, 1989

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointment of the following member of the Board of Trustees of the Montana Historical Society:

Loran A. Perry, Fort Benton, Montana, appointed for a term ending July 1, 1985

Respectfully report as follows:

That said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Commission for Human Rights:

Margery Brown, Missoula, Montana, appointed for a term ending January 2, 1989
Angelina Vallejo Cormier, Billings, Montana, appointed for a term ending January 2, 1989
Edward Lien, Wolf Point, Montana, appointed for a term ending January 2, 1989

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Montana Health Facility Authority:

Stephen L. Fenter, Billings, Montana, appointed for a term ending June 30, 1988
Harold L. Poulsen, Great Falls, Montana, appointed for a term ending June 30, 1988

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following members of the Board of Investments:

J. William Kearns, Townsend, Montana, appointed for a term ending January 1, 1987
Patrick McKelvey, Helena, Montana, appointed for a term ending January 1, 1989

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointment of the following members of the Board of Labor Appeals:

Leo Berry, Helena, Montana, appointed for a term ending January 2, 1989
Jerome C. Overmier, Helena, Montana, appointed for a term ending January 2, 1989

Respectfully report as follows:

That said appointments be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

Having had under consideration the Governor's appointments of the following member of the Board of Professional Engineers and Land Surveyors:

Maurice E. Guay, Missoula, Montana, appointed for a term ending April 23, 1989

Respectfully report as follows:

That said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

Be concurred in and confirmed. Report adopted.

FIRST READING OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SR 5, introduced by Blaylock, McCallum, Kolstad, Mazurek, Manning. Referred to Committee on Legislative Administration.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Committee on Local Government excused at this time.

SB 13, conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Neuman, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 41

Noes: None.
Total 0

Excused: Crippen, Eck, Harding, Hirsch, McCallum, Mohar, Pinsoneault, Regan, Story.
Total 9

Absent or not voting: None.
Total 0

SB 116, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Daniels, Fuller, Gage, Galt, Haffey, Hager, Halligan, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Neuman, Severson, Smith, Stephens, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 34

Noes: Boylan, Farrell, Goodover, Hammond, Shaw, Thayer, Tveit.
Total 7

Excused: Crippen, Eck, Harding, Hirsch, McCallum, Mohar, Pinsoneault, Regan, Story.
Total 9

Absent or not voting: None.

Total 0

Senator Pinsoneault present at this time.

SB 321, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 42

Noes: None.
Total 0

Excused: Crippen, Eck, Harding, Hirsch, McCallum, Mohar, Regan, Story.
Total 8

Absent or not voting: None.
Total 0

Senators Jacobson and Towe excused at this time.

Senators Mohar and Regan present at this time.

SB 390, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Himsl, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 42

Noes: None.
Total 0

Excused: Crippen, Eck, Harding, Hirsch, Jacobson, McCallum, Story, Towe.
Total 8

Absent or not voting: None.
Total 0

Senators Crippen, Harding, Jacobson, McCallum, Story and Towe present at this time.

HB 727, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Boylan.
Total 1

Excused: Eck, Hirsch.

Total 2

Absent or not voting: None.
Total 0

Senators Eck and Hirsch present at this time.

HB 775, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 449, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Galt, Shaw.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senators McCallum and Towe excused at this time.

SPECIAL ORDERS OF THE DAY

Senator Haffey moved the appointment of:

Jerrell D. Ballas, Missoula, Montana, appointed for a term ending March 27, 1988;

as a member of the Board of Architects be concurred in and the Senate Resolution of such confirmation be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz,

Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: McCallum, Towe.
Total 2

Absent or not voting: Daniels.
Total 1

Senator Haffey moved the appointment of:

James M. Colla, Great Falls, Montana, appointed for a term ending February 1, 1987;
Emily S. Day, Wolf Point, Montana, appointed for a term ending February 1, 1990;
Howard Obenhoff, Butte, Montana, appointed for a term ending February 1, 1990;
Carolyn B. Valacich, Great Falls, Montana, appointed for a term ending February 1, 1990;
James Whitlock, Hamilton, Montana, appointed for a term ending February 1, 1990;

as members of the Montana Arts Council be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: McCallum, Towe.
Total 2

Absent or not voting: Daniels.
Total 1

Senators Hirsch and Regan excused at this time.

Senator Haffey moved the appointment of:

Darcy Galasso, Butte, Montana, appointed for a term ending January 2, 1989;
Nell Kubesh, Glendive, Montana, appointed for a term ending January 2, 1989;
Hershel Robbins, Roundup, Montana, appointed for a term ending January 2, 1989;
Jack Stevens, Great Falls, Montana, appointed for a term ending January 2, 1989;

as members of the Coal Board be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Hirsch, McCallum, Regan, Towe.
Total 4

Absent or not voting: None.
Total 0

Senators Regan and McCallum present at this time.

Senator Pinsoneault excused at this time.

Senator Haffey moved the appointment of:

Dr. R.W. Rector, Havre, Montana, appointed for a term ending March 29, 1990;

as a member of the Board of Dentistry be concurred in and the Senate Resolution of such confirmation be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Eck.
Total 1

Excused: Hirsch, Pinsoneault, Towe.
Total 3

Absent or not voting: None.
Total 0

Senator Pinsoneault present at this time.

Senator Neuman excused at this time.

Senator Haffey moved the appointment of:

Adrien Long, Wolf Point, Montana, appointed for a term ending April 18, 1987;
Troy Martin, Winifred, Montana, appointed for a term ending April 18, 1986;

as members of the Board of Hail Insurance be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Hirsch, Neuman, Towe.
Total 3

Absent or not voting: None.
Total 0

Senator Neuman present at this time.

Senator Fuller excused at this time.

Senator Haffey moved the appointment of:

James E. Edwards, Anaconda, Montana, appointed for a term ending January 2, 1989;
Duane E. Friez, Glendive, Montana, appointed for a term ending January 2, 1989;
Leonard H. McKinney, Lewistown, Montana, appointed for a term ending January 2, 1989;

as members of the Hardrock Mining Impact Board be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Boylan.
Total 1

Excused: Fuller, Hirsch, Towe.
Total 3

Absent or not voting: None.
Total 0

Senators Fuller and Towe present at this time.

Senator Haffey moved the appointment of:

Loran A. Perry, Fort Benton, Montana, appointed for a term ending July 1, 1985;

as a member of the Board of Trustees of the Montana Historical Society be concurred in and the Senate Resolution of such confirmation be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hirsch.
Total 1

Absent or not voting: None.
Total 0

Senator Hirsch present at this time.

Senators Daniels and Goodover excused at this time.

Senator Haffey moved the appointment of:

Margery Brown, Missoula, Montana, appointed for a term ending January 2, 1989;
Angelina Vallejo Cormier, Billings, Montana, appointed for a term ending January 2, 1989;
Edward Lien, Wolf Point, Montana, appointed for a term ending January 2, 1989;

as members of the Commission for Human Rights be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Daniels, Goodover.
Total 2

Absent or not voting: None.
Total 0

Senators Daniels and Goodover present at this time.

Senator Haffey moved the appointment of:

Stephen L. Fenter, Billings, Montana, appointed for a term ending June 30, 1988;
Harold L. Poulsen, Great Falls, Montana, appointed for a term ending June 30, 1988;

as members of the Montana Health Facility Authority be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 48

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Blaylock, Yellowtail.
Total 2

Senator Haffey moved the appointment of:

J. William Kearns, Townsend, Montana, appointed for a term ending January 1, 1987;
Patrick McKelvey, Helena, Montana, appointed for a term ending January 1, 1989;

as members of the Board of Investments be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Anderson, Blaylock, Brown, Christiaens, Daniels, Farrell, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Lynch, Mazurek, Regan, Severson, Shaw, Stimatz, Story, Thayer, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 32

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Aklestad, Bengtson, Boylan, Conover, Crippen, Eck, Fuller, Halligan, Jacobson, Manning, McCallum, Mohar, Neuman, Pinsoneault, Smith, Stephens, Towe, Tveit.
Total 18

Senator Haffey moved the appointment of:

Leo Berry, Helena, Montana, appointed for a term ending January 2, 1989;
Jerome C. Overmier, Helena, Montana, appointed for a term ending January 2, 1989;

as members of the Board of Labor Appeals be concurred in and the Senate Resolution of such confirmations be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Anderson, Blaylock, Brown, Christiaens, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Pinsoneault, Regan, Severson, Shaw, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 38

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Aklestad, Bengtson, Boylan, Conover, Crippen, Halligan, Jacobson, Mohar, Neuman, Smith, Stephens, Towe.
Total 12

Senator Haffey moved the appointment of:

Maurice E. Guay, Missoula, Montana, appointed for a term ending April 23, 1989;

as a member of the Board of Professional Engineers and Land Surveyors be concurred in and the Senate Resolution of such confirmation be adopted and that the ayes and nays be spread upon the Journal. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Brown, Christiaens, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Pinsoneault, Regan, Severson, Smith, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 38

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Bengtson, Boylan, Conover, Crippen, Halligan, Jacobson, McCallum, Mohar, Neuman, Shaw, Stephens, Towe.
Total 12

Sergeant-at-Arms Erving escorted former Senator Dave Manning into the Chamber where he was greeted with a standing ovation of members of the Senate and the House of Representatives. Senator Towe read the Joint Resolution which honors Senator Manning by naming the Department of Highways building after him because of his dedication to the development of Montana's highways. The President of the Senate, the Speaker of the House and the Secretary of the Senate signed the Joint Resolution and the original was presented to Senator Manning.

Senator Towe moved that lobbyists be permitted on the floor. Motion carried unanimously.

John Scully presented former Senator Manning with a painting, prints of which will be distributed to members of the Legislature and the staff.

Senator Van Valkenburg moved the President appoint a committee to escort the former Senator from the Chambers. Motion carried unanimously.

The President appointed the following members:

Senator Boylan
Senator McCallum
Senator Towe
Senator Weeding

Senator Van Valkenburg moved that the Senate recess, subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 1:47 p.m.

Senate reconvened at 2:17 p.m.

REPORTS OF STANDING COMMITTEES

COMMITTEES (Jacobson, Chairman): 4/24/85

Hereby appoint to the Water Policy Committee: Jack Galt, James Shaw, Dorothy Eck, Larry Stimatz.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill No. 392
Report No. 1, April 24, 1985

Mr. President:

We, your Free Conference Committee on Senate Bill No. 392 met and considered:

Senate Bill No. 392.

We recommend as follows:

That Senate Bill No. 392, reference copy, be amended as follows:

1. Page 3, line 9.
Following: "PERSON"
Strike: "THAT"
Insert: "who"

2. Page 3, line 13.
Following: "(B)"
Strike: "DETERMINED"
Insert: "found"

3. Page 3, line 14.
Following: "PART 5"
Insert: ", and one of the convictions was for an offense against the person in violation of Title 45, chapter 5, for which the minimum prison term is not less than 2 years"

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Daniels, Chairman	
Pinsoneault	Fritz
Shaw	Hannah
	Mercer

Free Conference Committee
on House Bill No. 924
Report No. 1, April 22, 1985

Mr. President:

We, your Free Conference Committee on House Bill No. 924 met and considered:

Senate Taxation Committee report, April 9, 1985.

We recommend as follows:

That House Bill No. 924, reference copy, be amended as follows:

1. Title, line 10.
Following: "ON"
Insert: "STATE OR"

2. Page 2, line 7 and page 3, line 3.
Following: "ON"
Insert: "state or"

3. Page 3, line 17.
Page 4, line 16.
Page 7, line 14.
Page 11, line 10.
Following: "A"
Insert: "state or"

4. Page 12, line 11,
Page 13, line 1.
Following: "[SUBSECTION (1)(A)"
Insert: "and (1)(b)"

5. Page 15, line 23.
Following: "ON"
Insert: "state and"

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Neuman, Chairman	Brandewie
Goodover	Kitselman
Lybeck	Harbin
	Howe

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Galt in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 370 - That House amendments to SB 370 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Galt moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate recess, subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 2:29 p.m.

Senate reconvened at 5:21 p.m.

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 4/24/85
Correctly printed and placed on the members' desks: SJR 44.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill No. 430
Report No. 1, April 24, 1985

Mr. President:

We, your Free Conference Committee on House Bill No. 430 met and considered:

House Bill No. 430.

We recommend as follows:

That House Bill No. 430, reference copy, be amended as follows:

1. Title, line 8.
Strike: "50"
Insert: "45"

2. Page 2, line 13.
Following: "~~Part~~ 8,"
Insert: "and the state group health self-insurance plan, under Title 2, chapter 18, part 8,"

3. Page 2, line 14.
Strike: "50"
Insert: "45"

And that this Free Conference Committee report be adopted.

For the Senate:

Pinsoneault, Chairman
Mazurek

For the House:

Bradley
Kitselman
Miles
Rehberg

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman April 24, 1985

President of the Senate
State Capitol
Helena, Montana 59620

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 22, 66, 93, 165, 319, 379, and 416 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 24, 1985

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Vincent:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return Senate Bill No. 250, "AN ACT CREATING A REAL ESTATE RECOVERY ACCOUNT FOR PAYMENT OF UNSATISFIED JUDGMENTS AGAINST REAL ESTATE SALESMEN AND BROKERS; PROVIDING FOR THE MAKING, ADJUDICATION, AND PAYMENT OF CLAIMS AGAINST THE ACCOUNT; PROVIDING FOR SUBROGATION OF RIGHTS OF THE BOARD OF REALTY REGULATION TO JUDGMENTS PAID FROM THE ACCOUNT; COORDINATING DISCIPLINARY PROVISIONS WITH OTHER POWERS OF THE BOARD; AMENDING SECTION 37-51-304, MCA; AND PROVIDING AN EFFECTIVE DATE," without my signature and recommend the attached amendments for the following reasons.

The Senate Committee of the Whole made substantial amendments to Senate Bill No. 250. Unfortunately, several of those amendments created inconsistencies and mechanical problems in the bill.

By letter of April 19, 1985, Senator Joe Mazurek, chief sponsor of Senate Bill No. 250, has requested that I return the bill with six proposed amendments to resolve these problems. I am returning the bill with Senator Mazurek's amendments.

The first five amendments merely resolve inconsistencies or mechanical problems in the bill. The sixth amendment makes a more substantial change. As presently written, Senate Bill No. 250 limits to $25,000 the amount that may be paid from the real estate recovery account for all judgments against any one licensee. The sixth amendment would allow additional payments after the licensee has reimbursed the account for expenditures made on his behalf.

I urge your concurrence in these amendments.

Governor's Proposed Amendments
to SB 250

1. Page 4.

Following: line 17
Strike: subsection 3 in its entirety

2. Page 7, line 3.
Following: "any"
Insert: "final"
Following: "judgment"
Strike: "rendered"
Insert: "entered"

3. Page 7, line 9.
Following: "the"
Strike: "court"
Insert: "board"

4. Page 9, line 4.
Following: "account."
Strike: "(1)"

5. Page 9.
Following: line 9
Strike: subsection (2) in its entirety

6. Page 9, line 17.
Following: "licensee"
Insert: "until that licensee has repaid the account"

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 24, 1985

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Vincent:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill No. 236 "AN ACT ~~DEFINING "CARD GAME" TO INCLUDE A GAME PLAYED ON A MECHANICAL ELECTRONIC VIDEO GAME MACHINE; AMENDING SECTION 23-5-302, MCA.~~ PROVIDING FOR LICENSING AND PLACEMENT OF ELECTRONIC VIDEO DRAW POKER MACHINES; PROVIDING FOR DISTRIBUTION OF REVENUE; PROVIDING A PENALTY PROVISION; AND PROVIDING EFFECTIVE DATES AND A TERMINATION DATE," without my signature and recommend the attached amendments for the following reasons.

As passed, House Bill No. 236 requires the Department of Revenue to forward ⅔ of the $1,500 annual license fee for each machine to the treasurer of the county or the clerk, finance officer, or treasurer of the city or town in which the licensed machine is located for deposit into the county or municipal treasury.

House Bill No. 12, now pending in the Legislature, defines and establishes the requisites for a valid continuing statutory appropriation. Section

10 of House Bill No. 236 does not contain the language required by House Bill No. 12 to establish a valid continuing statutory appropriation. Without the required language, the department is not authorized to forward the required portion of the fee to the proper local government treasury official.

The amendment I am proposing coordinates House Bill No. 236 with the requirements of House Bill No. 12 thereby establishing a statutory appropriation as required by House Bill No. 12.

The other amendments I am proposing allow the department to retain 5% of the total license fee collected in fiscal years 1986 and 1987, rather than retaining up to 8% of the one-third portion deposited in the state general fund, and to expend those monies for purposes of administering the act.

I urge your concurrence in these amendments.

Governor's Proposed Amendments
to HB 236

1. Title, line 12.
Following: "DISTRIBUTION"
Insert: "AND APPROPRIATION"

2. Page 9, line 15.
Following: "machine"
Strike: "and"
Insert: ". The department shall retain 5% of the total license fee collected in fiscal years 1986 and 1987 and shall retain 3% thereafter for purposes of administering [sections 1 through 5 and 7 through 12 of this act]."
Following: "and"
Insert: "The department"

3. Page 9, line 16.
Following: "of the"
Insert: "remaining"

4. Page 9, lines 16 through 18.
Following: "fund" on line 16
Strike: ", EXCEPT" on line 16 through "12]," on line 18

5. Page 9, line 19.
Following: "of the"
Insert: "remaining"

6. Page 9, line 25.
Following: "prorated."
Insert: "[The two-thirds portion of the annual fee is statutorily appropriated to the department as provided in [section 2 of House Bill No. 12] for deposit to the county or municipal treasury.]"

7. Page 11.
Following: line 15
Insert: "Section 13. Appropriation. The 5% portion of the license fees retained by the Department in fiscal years 1986 and 1987, as provided in [section 10 of this act] is appropriated to the Department for the biennium ending June 30, 1987, for purposes of administering this act."

8. Page 11.
Following: line 15

Insert: "Section 14. Coordination instruction. The bracketed language in section 10 of this act is effective only if House Bill No. 12 of the 49th Legislature is passed and approved. In addition, if House Bill No. 12 is passed and approved, a reference to section 10 of this act is included in the subsection of House Bill No. 12 listing all sections containing statutory appropriations."
Renumber: subsequent sections

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 24, 1985

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Vincent:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill No. 636, "AN ACT TO REDUCE THE TAX RATE ON PETROLEUM PRODUCED BY TERTIARY RECOVERY METHODS FROM 5 PERCENT TO 2.5 PERCENT; ~~ALLOWING~~ REQUIRING AMORTIZATION OVER 10 YEARS OF THE ~~DEDUCTION FOR THE~~ COSTS OF ~~CARBON DIOXIDE~~ NECESSARY CHEMICAL SUPPLIES USED IN APPROVED TERTIARY RECOVERY PROJECTS; AMENDING SECTIONS 15-23-603 AND 15-36-101, MCA; AND PROVIDING AN EFFECTIVE DATE," without my signature and recommend the attached amendment for the following reasons.

House Bill No. 636 amends section 15-36-101, MCA, to reduce the severance tax on petroleum produced from certain approved tertiary recovery projects. As introduced, section 1 of the bill gave the Board of Oil and Gas Conservation the responsibility of approving tertiary projects for purposes of tax reduction. Section 1 was amended and now places that responsibility in the Department of Revenue. Unfortunately, section 2(3) of the bill, which refers to the approval function, was not changed to reflect the amendment to section 1. My proposed amendment cures this defect by changing that reference.

I urge your concurrence in this amendment.

Governor's Proposed Amendments
to HB 636

1. Page 8, lines 24 and 25.
Following: "the" on line 24
Strike: "board" on line 24 through "conservation" on line 25
Insert: "department of revenue"

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 24, 1985

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Vincent:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill No. 766, "AN ACT AUTHORIZING THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES TO TAKE REMEDIAL ACTION TO PREVENT OR ALLEVIATE RELEASE OF HAZARDOUS OR DELETERIOUS SUBSTANCES INTO THE ENVIRONMENT; ESTABLISHING A SPECIAL FUND FOR REMEDIAL ACTION; PROVIDING FOR FUNDING AND APPROPRIATION OF THE SPECIAL FUND; AND PROVIDING EFFECTIVE DATES," without my signature and recommend the attached amendments for the following reasons.

As passed, House Bill No. 766 states that monies for the newly established environmental quality protection fund within the Department of Health and Environmental Sciences can come from a number of sources. House Bill No. 766 contains no reference to House Bill No. 922.

House Bill No. 922, which is pending in the Legislature, authorizes RIT interest monies to be used for designated projects. As amended, House Bill No. 922 authorizes the creation of an environmental contingency account which provides monies for the environmental quality protection fund established in House Bill 766. The amendments I am proposing coordinate House Bill No. 766 with House Bill No. 922.

Finally, a proposed amendment also clarifies the definition of a hazardous and deleterious substance. As currently written, House Bill No. 766 references an EPA list of hazardous or deleterious substances that will not be effective until July 3 of 1985. To avoid problems with the effective date of House Bill No. 766, I am proposing that the list referenced in House Bill No. 766 be the list as now proposed in the Federal Register.

I urge your concurrence in these amendments.

Governor's Proposed Amendments
to HB 766

1. Page 2, line 10.
Following: "SUBSTANCE"
Strike: "UNDER" and lines 11 and 12 in their entirety
Insert: "in volume 50, Federal Register, pages 13474 through 13513."

2. Page 3, line 24.
Following: "277]"
Strike: "."
Insert: ";"
Following: ".]"
Insert: "[and

(d) funds received from the environmental contingency account within the state special revenue fund established pursuant to [section 4 of House Bill No. 922].]"

3. Page 4.
Following: line 9
Insert: "[(5) Whenever the amount of money in the fund is insufficient to carry out remedial action, the department may apply to the governor for a grant from the environmental contingency account within the state special revenue fund established pursuant to [section 4 of House Bill 922].]"

4. Page 8.
Following: line 14
Insert: "[(c) Damages and penalties recovered pursuant to subsections (1)(b) and (2) must be deposited in the environmental contingency account within the state special revenue fund established pursuant to [section 4 of House Bill No. 922].]"

5. Page 9, line 13.
Following: "~~(2)~~"
Insert: "(1)"

6. Page 9.
Following: line 16
Insert: "(2) The bracketed language in section 2(3)(d) and (5) and section 2(5)(c) is effective only if both this act and [House Bill 922] are passed and approved."

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 24, 1985

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Vincent:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill No. 812, "AN ACT CREATING A MONTANA SCIENCE AND TECHNOLOGY DEVELOPMENT BOARD TO FOSTER ECONOMIC GROWTH; APPROPRIATING MONEY TO THE BOARD FROM THE ALTERNATIVE ENERGY AND ENERGY CONSERVATION RESEARCH DEVELOPMENT AND DEMONSTRATION ACCOUNT; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE," without my signature and recommend the attached amendments for the following reasons.

House Bill No. 812 creates the Montana Science and Technology Board and grants it authority to make investments in the following categories: research capability development, applied technology research, technology assistance and transfer, and various seed capital awards. Section 8(2) contains an amendment that was intended to require matching funds for all categories except technology assistance and transfer. Unfortunately, the amendment uses the term "basic research" instead of "applied technological research." My first amendment changes the language of section 8(2) to be consistent with section 6(3).

Section 8 of House Bill No. 812 gives the Board authority to accept and expend grants, donations, and other private or public income. Section 9(2) also authorizes the Board to expend all income appropriated to its use. These are continuing statutory appropriations.

House Bill No. 12, introduced this session, defines and establishes the requirements for valid continuing statutory appropriations. As currently written, sections 8 and 9(2) of House Bill No. 812 do not meet those requirements. My fourth, fifth, and sixth proposed amendments coordinate House Bill No. 812 with the requirements of House Bill No. 12.

Section 13 of House Bill No. 812 appropriates one million dollars per year for the coming biennium. It is unlikely that the Montana Science and Technology Board, a new board to be organized after this bill becomes effective, will be able to divide its investments and expenditures evenly between two years of the upcoming biennium. The Board should be given flexibility to use the appropriated funds when needed during the biennium. My second and third proposed amendments make that change in section 13.

Finally, section 6(b) of House Bill No. 812 gives the Board rulemaking authority. The Legislature's Joint Rules and 5-4-404 require that a statement of intent accompany every bill that grants rulemaking authority. House Bill No. 812 contains no statement of intent. To cure this defect, I have enclosed a proposed statement of intent.

I urge your concurrence in these amendments and the statement of intent.

Governor's Proposed Amendments
to HB 812

1. Page 7, line 3.
Following: "DEVELOPMENT,"
Strike: "BASIC"
Insert: "applied technological"

2. Page 9.
Following: line 9
Strike: "$1,000,000"
Insert: "$2,000,000"

3. Page 9, line 12.
Following: "for"
Strike: "each fiscal year of"

4. Page 6, line 22.
Following: "income."
Insert: "[These funds are statutorily appropriated, as provided in [section 2 of House Bill No. 12].]"

5. Page 7, line 22.
Following: "use."
Insert: "[This income is statutorily appropriated, as provided in [section 2 of House Bill No. 12].]"

6. Page 9.
Following: line 20
Insert: "Section 14. Coordination instruction. The bracketed sentences in sections 8(1) and 9(2) are effective only if House Bill No. 12 of the 49th Legislature is passed and approved. In addition, if House Bill No. 12 is passed and approved, references to sections 8

and 9 are included in the subsection of House Bill No. 12 listing all the sections containing statutory appropriations."

Renumber: subsequent section

GOVERNOR'S PROPOSED STATEMENT OF INTENT TO HB 812

A statement of intent is required for this bill because it directs the Montana Science and Technology Development Board to adopt administrative rules to implement and administer its various technology investment programs.

The breadth and complexity of these programs necessitates that the board have broad latitude in developing criteria, requirements, and procedures for carrying out this mandate. The Legislature contemplates, however, that the board rules would, among other things:

(1) establish procedures for the conduct of board business;

(2) provide for technology investments that will:

(a) stimulate applied research and product development in the public and private sectors;

(b) strengthen the research and development capabilities of Montana's colleges and universities and other nonprofit research organizations;

(c) transfer new technology and provide technical assistance to business and industry;

(d) furnish "seed" funds which provide leverage for the investment of private capital investments in new technology;

(e) protect the confidentiality of trade secrets and business and financial information relating to applicants for technology investments;

(3) establish eligibility and selection criteria for technology investments; and

(4) establish matching funding requirements for various types of investments.

Sincerely,

Ted Schwinden
Governor

MOTIONS

Senator Halligan moved that the President be authorized to dissolve the free conference committee on SB 116 and that he be authorized to appoint a new free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Halligan, Chairman
Senator Van Valkenburg
Senator Thayer

Senator Van Valkenburg moved that the rules be temporarily suspended for the purpose of placing SJR 44 on second reading this legislative day. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Hager,

Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Goodover.
Total 1

Excused: None.
Total 0

Absent or not voting: Conover, Haffey, Lynch, Shaw.
Total 4

At the request of the President, and without objection, the Senate reverted to Order of Business No. 3.

REPORTS OF SELECT COMMITTEES

New Free Conference Committee
on Senate Bill No. 116
Report No. 2, April 24, 1985

Mr. President:

We, your New Free Conference Committee on Senate Bill No. 116 met and considered:

Senate Bill No. 116.

We recommend as follows:

That Senate Bill No. 116, reference copy, be amended as follows:

1. Title.
Following: line 13
Insert: "DEPUTY"
Following: "ATTORNEYS"
Strike: "AND THEIR DEPUTIES"

2. Page 2, line 1.
Following: "FOR"
Insert: "deputy"

3. Page 2, line 2.
Strike: "AND THEIR DEPUTIES"

4. Page 2, line 15.
Following: "for"
Strike: "a criminal offense"
Insert: "any conduct made criminal by state statute"

5. Page 3, line 8.
Following: "the"
Insert: "appropriate"

6. Page 3, line 9.
Following: "treasurer."
Insert: "If a city municipal court or city or town court is the court of original jurisdiction, the charges collected under subsection (1) must be deposited with the city or town finance officer or treasurer. If a justice court or district court is the court of original jurisdiction,

the charges collected under subsection (1) must be deposited with the county finance officer or treasurer."

7. Page 3, lines 17 and 18.
Following: "MONTH, THE"
Strike: remainder of line 17 through "GOVERNMENT" on line 18
Insert: "county"

8. Page 3, line 21.
Following: "A"
Strike: "LOCAL GOVERNMENT"
Insert: "county"

9. Page 3, line 24.
Following: "SECTION."
Insert: "A city or town finance officer or treasurer may retain the charges collected under subsection (1) by a city municipal court or a city or town court and may use that money for the payment of salaries of the city or town attorney and his deputies."

10. Page 4, line 14.
Following: "SALARIES"
Insert: "for the deputy county attorneys"

11. Page 7, lines 19 through 22.
Strike: lines 19 through 22 in their entirety

12. Page 8, lines 20 through 22.
Following: "As" on line 20
Strike: remainder of line 20 through "OR" on line 21
Following: "EACH" on line 21
Strike: remainder of line 21 through "OR" on line 22

13. Page 8, line 24.
Following: "AS"
Strike: "COUNTY ATTORNEY OR"

14. Page 8, line 25.
Following: "AS"
Strike: remainder of line 25 in its entirety

15. Page 9, line 1.
Following: "EACH"
Strike: remainder of line 1 in its entirety

16. Page 9, lines 4 and 5.
Following: "AS" on line 4
Strike: remainder of line 4 through "OR" on line 5

17. Page 9, line 7.
Following: "EACH"
Strike: "PART-TIME COUNTY ATTORNEY OR"

18. Page 9, lines 10 through 13.
Strike: subsection (3)(d)(ii) in its entirety
Renumber: subsequent subsection

19. Page 9, line 14.
Following: "AS A"
Strike: remainder of line 14 in its entirety

20. Page 11, lines 17 and 18.
Following: "(1)," on line 17

Strike: remainder of line 17 through "7-4-2503(3)(d)" on line 18
Insert: "other than a deputy county attorney"

21. Page 11.
Following: line 19
Insert: "The salary of a deputy county attorney, including longevity payments provided in 7-4-2503(3)(d), may not exceed the salary of the county attorney under whom he is serving."

And that this New Free Conference Committee report be adopted.

For the Senate:	For the House:
Halligan, Chairman	
Van Valkenburg	Peck
Thayer	Hannah
	O'Hara

Free Conference Committee
on Senate Bill No. 215
Report No. 1, April 24, 1985

Mr. President:

We, your Free Conference Committee on Senate Bill No. 215 met and considered:

Senate Bill No. 215.

We recommend as follows:

That Senate Bill No. 215, reference copy, be amended as follows:

1. Title, line 6.
Following: "~~MONETARY~~"
Insert: "MONETARY"

2. Page 1, lines 8 through 10.
Following: "COMMITEES" on line 8
Strike: remainder of line 8 through "PERSONS;" on line 10

3. Page 1, line 15.
Following: "~~A~~"
Strike: remainder of line 15
Insert: "A"

4. Page 1, line 17.
Following: "~~$1,000~~"
Strike: "$1,100"
Insert: "$1,000"
Following: "~~monetary~~"
Insert: "monetary"

5. Page 1, line 20.
Following: "~~$600~~"
Strike: "$1,100"
Insert: "$700"
Following: "~~monetary~~"
Insert: "monetary"

6. Page 2, line 3.
Following: "~~may not~~"
Strike: "MUST"
Insert: "may not"

7. Page 2, line 12 through line 22, page 4.
Following: "~~contributions.~~" on line 12
Strike: remainder of line 12 through line 22, page 4
Insert: ""monetary contributions" means all contributions having a definite monetary value, including contributions of postage stamps, contracted services, payment of campaign debts, and all other such contributions."

8. Page 4, line 23 through page 5, line 2.
Strike: subsection (4) in its entirety

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Haffey, Chairman	Addy
Yellowtail	Schye
Anderson	

MOTIONS

Senator Van Valkenburg moved that the Senate recess, subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 5:28 p.m.

Senate reconvened at 5:50 p.m.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Galt in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 198, HB 410, HB 704 - Senator Van Valkenburg moved that HB 198, HB 410, and HB 704 be moved to the bottom of the board. Motion carried unanimously.

SB 392 - That the free conference committee report on SB 392 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Blaylock, Towe, Van Valkenburg.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 924 - That the free conference committee report on HB 924 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 44 - That SJR 44 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Boylan, Goodover.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 250 - That the Governor's amendments to SB 250 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Galt moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the rules be temporarily suspended for the purpose of placing SJR 44 on third reading this legislative day. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Boylan, Goodover.
Total 2

Excused: None.
Total 0

Absent or not voting: Lynch, Shaw, Tveit.
Total 3

Senator Regan moved that the President be authorized to dissolve the free conference committee on SB 449 and that he be authorized to appoint a new free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Regan, Chairman
Senator Mazurek
Senator Galt

Senator Jacobson moved that the President be authorized to dissolve the conference committee on Senate amendments to HB 381 and that he be authorized to appoint a free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Jacobson, Chairman
Senator Stimatz
Senator Farrell

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senators Shaw and Tveit excused at this time.

SB 392, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Williams, Yellowtail, Mr. President.
Total 40

Noes: Blaylock, Christiaens, Haffey, Halligan, Mazurek, Towe, Van Valkenburg, Weeding.

Total 8

Excused: Shaw, Tveit.
Total 2

Absent or not voting: None.
Total 0

HB 924, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Shaw, Tveit.
Total 2

Absent or not voting: None.
Total 0

Senator Haffey excused at this time.

SJR 44 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Boylan, Goodover.
Total 2

Excused: Haffey, Shaw, Tveit.
Total 3

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the Senate adjourn until 9:00 a.m., April 25, 1985.

Motion carried.

Senate adjourned at 6:22 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

NINETIETH LEGISLATIVE DAY

Helena, Montana
April 25, 1985

Senate Chambers
State Capitol

Senate convened at 9:10 a.m., President Norman presiding. Invocation by the Chaplain, Pastor Monsen. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journals for the eighty-eighth and eighty-ninth legislative days, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 4/24/85

Signed by the President at 3:15 p.m., 4/24/85: HB 206, HB 236, HB 636.

Signed by the President at 4:30 p.m., 4/24/85: HB 3, HB 14, HB 45, HB 127, HB 146, HB 168, HB 211, HB 286, HB 344, HB 438, HB 444, HB 554, HB 625, HB 701, HB 707, HB 737, HB 843, HB 869, HB 885, HB 900, HJR 43, HJR 44, HJR 49, HJR 54.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 4/24/85

Recommend that at the close of business April 24, 1985, the following employment be terminated:

Gregory Bergren.....Page
Bruce Larsen.....Page
Sallykay Bertelsen.....Page
Taru Hakkarainen.....Page
Erica Cantrell.....Page
Michael Kello.....Page
Lei Kotynski.....Page
Andrew Lindborg.....Page
Robert Elias.....Page

SR 5, be adopted. Report adopted.

TAXATION (Towe, Chairman): 4/24/85

HJR 9, third reading copy, be amended as follows:

1. Page 3, line 1.
Strike: "$747,108,169"
Insert: "$754,396,000"

2. Page 3, line 8.
Following: "1985"
Insert: ", except as modified by Senate Bill 247 and House Bill 460"

3. Page 3, line 12.
Strike: "5.4%"
Insert: "5.5%"

4. Page 3.
Following: line 12
Strike: "drift"

5. Page 3, line 14.
Following: "~~1987~~"

Strike: "DOWNWARD"
Insert: "be stable"

6. Page 3.
Following: line 15
Strike: "and"
Insert: "but"

7. Page 3, line 24.
Strike: "$115,000,000 $124,000,000 $133,000,000 $257,000,000"
Insert: "$116,582,000 $125,541,000 $134,330,000 $259,871,000"

8. Page 4, line 7.
Following: "1985,"
Insert: "with the exception that Senate Bill 247 impacts are included,"

9. Page 4, line 20.
Strike: "$17,385,000 $19,152,000 $17,877,024 $37,029,024"
Insert: "$17,444,000 $19,735,000 $18,732,000 $38,467,000"

10. Page 5, line 16.
Strike: "30,500,000 32,000,000 33,000,000 65,000,000"
Insert: "30,079,000 32,916,000 34,973,000 67,889,000"

11. Page 5, line 18.
Strike: "$10.00 $10.50 $10.80"
Insert: "$10.201 $10.545 $10.703"

12. Page 5, line 21.
Strike: "$31,680,000 $24,500,000 $23,833,333 $48,333,333"
Insert: "$31,911,000 $24,654,000 $23,274,000 $47,928,000"

13. Page 5.
Following: line 21
Insert: "County Portion of Oil Severance Tax $982,000 $923,000 $874,000 $1,797,000"

14. Page 6, line 14.
Strike: "28,800,000 28,000,000 27,500,000 55,500,000"
Insert: "28,801,000 28,341,000 27,939,000 56,280,000"

15. Page 6, line 16.
Strike: "$27.50 $26.25 $26.00"
Insert: "$27.699 $26.097 $24.990"

16. Page 6, line 19.
Strike: "$25,505,417 $22,635,417 $22,083,333 $44,718,750"
Insert: "$26,482,000 $22,656,000 $22,961,000 $45,617,000"

17. Page 7, line 4.
Following: "ARE"
Strike: "10.25%"
Insert: "10.87%"
Following: "1985,"
Strike: "10.25%"
Insert: "10.75%"

18. Page 7, line 5.
Strike: "10.00%"
Insert: "10.90%"

19. Page 7, line 7.

Strike: "$214,000,000"
Insert: "$212,000,000"

20. Page 7, lines 8 and 9.
Strike: "$175,000,000" on both lines
Insert: "$169,000,000"

21. Page 7, line 12.
Strike: "$37,634,000 $38,311,000 $40,261,000 $78,572,000"
Insert: "$38,437,000 $39,237,000 $41,288,000 $80,525,000"

22. Page 7, lines 21 through 24.
Following: "1987." on line 21
Strike: remainder of line 21 through line 24
Insert: "Cigarette Sales
91,167,000 91,556,000 91,942,000 183,498,000

Tobacco Tax
$748,000 $828,000 $916,000 $1,744,000"

23. Page 8, line 2.
Strike: "$24,155,000 $28,807,000 $33,736,000 $62,543,000"
Insert: "$24,378,000 $28,158,000 $32,259,000 $60,417,000"

24. Page 8, line 17.
Following: "gradually"
Strike: "increase"
Insert: "decrease"

25. Page 8.
Following: line 17
Strike: "1986, THEN FALL SLIGHTLY FOR 1987"
Insert: "1987"

26. Page 8, line 20.
Following: "ARE"
Strike: "12.00%, 12.00%"
Insert: "12.51%, 11.86%"
Following: "AND"
Strike: "11.75%"
Insert: "11.59%"

27. Page 8, line 23.
Strike: "$15,700,000 $16,195,000 $16,737,000 $32,932,000"
Insert: "$16,109,000 $16,139,000 $17,558,000 $33,697,000"

28. Page 8, line 25.
Following: "8%"
Strike: "5.5%"
Insert: "8%"

29. Page 9, line 5.
Strike: "$12,893,000 $14,800,000 $15,300,000 $30,100,000"
Insert: "$12,213,000 $14,758,000 $15,310,000 $30,068,000"

30. Page 9, line 18.
Strike: "$4,850,000 $5,250,000 $5,200,000 $10,450,000"
Insert: "$4,466,000 $5,222,000 $5,077,000 $10,299,000"

31. Page 9, line 21.
Strike: "$6,110,000 $6,322,500 $6,387,000 $12,709,500"
Insert: "$6,191,000 $6,600,000 $6,736,000 $13,336,000"

32. Page 10, lines 4 through 6.

Following: "BASED" on line 4
Strike: remainder of line 4 through "YEARS" on line 6
Insert: "on anticipated federal tax increases scheduled to be effective October 1, 1985"

33. Page 10, line 9.
Strike: "$6,624,000 $6,600,000 $6,800,000 $13,400,000"
Insert: "$6,289,000 $6,656,000 $7,072,000 $13,728,000"

34. Page 10, lines 11 through 13.
Following: "on" on line 11
Insert: "approximately"
Following: "6%" on line 11
Strike: "SLIGHT DECREASE FROM 1985 to 1986, THEN PROJECTED AT A 3%"
Following: "collections" on line 12
Strike: "FOR THE REMAINDER OF THE BIENNIUM"

35. Page 10, line 18.
Strike: "$1,660,000 $1,000,000 $1,000,000 $2,000,000"
Insert: "$1,711,000 $1,185,000 $1,190,000 $2,375,000"

36. Page 11, line 2.
Following: "~~modestly~~"
Strike: "REMAIN CONSTANT"
Insert: "increase modestly"

37. Page 11, lines 5 through 7.
Following: "1986." on line 5
Strike: remainder of line 5 through "MONTANA" on line 7

38. Page 11, line 10.
Strike: "$2,212,000 $2,273,000 $2,405,000 $4,678,000"
Insert: "$1,986,000 $2,042,000 $2,169,000 $4,211,000"

39. Page 11, line 22.
Strike: "$861,000 $880,000 $899,000 $1,779,000"
Insert: "$817,000 $835,000 $854,000 $1,689,000"

40. Page 12, line 4.
Strike: "$3,010,000 $3,160,000 $3,319,000 $6,479,000"
Insert: "$2,814,000 $3,053,000 $3,311,000 $6,364,000"

41. Page 12, line 10.
Strike: "$1,175,000 $1,146,000 $1,096,000 $2,242,000"
Insert: "$1,180,000 $1,157,000 $1,133,000 $2,290,000"

42. Page 12, lines 13 through 16.
Following: "~~1979.~~" on line 13
Strike: remainder of line 13 through "AGE" on line 16
Insert: "2.0%"

43. Page 12, line 19.
Strike: "$3,080,625"
Insert: "$3,481,000"

44. Page 12, line 20.
Strike: "$2,772,562 $2,438,000 $5,210,562"
Insert: "$3,650,000 $3,862,000 $7,512,000"

45. Page 12.
Following: line 20
Insert: "County Portion of Natural Gas Severance Tax

$191,000 $202,000 $214,000 $416,000"

46. Page 12, line 22.
Following: "~~levels~~"
Strike: "DECREASE SLIGHTLY"
Insert: "remain at current levels"

47. Page 12, line 25.
Following: "~~1985~~"
Insert: "Prices are expected to increase only moderately despite deregulation of all new gas on January 1, 1985."

48. Page 12, line 25 through page 13, line 1.
Following: "~~moderately~~" on line 25
Strike: "ARE ANTICIPATED TO DECLINE"
Insert: "will increase only moderately"

49. Page 13, line 8.
Strike: "46.5 46.5 45.0 91.5"
Insert: "49.787 49.589 49.448 99.04"

50. Page 13, line 10.
Strike: "$2.50"
Insert: "$1.638"

51. Page 13, line 11.
Strike: "$2.25 $2.00"
Insert: "$2.778 $2.947"

52. Page 13, line 15.
Following: "~~6%~~"
Strike: "5.26%"
Insert: "5%"

53. Page 14, line 1.
Strike: "$14,474,000 $14,395,000 $15,387,000 $29,782,000"
Insert: "$13,962,000 $13,930,000 $14,922,000 $28,852,000"

54. Page 14, lines 9 and 10.
Following: "~~account.~~" on line 9
Strike: remainder of line 9 through "7%." on line 10
Insert: "It is assumed this trend will continue during the biennium; however, a negative adjustment of $465,000 was made to fiscal year 1986 and 1987 estimates to account for bank examination fees being deposited to a new state special revenue account."

55. Page 14, line 11.
Following: "A"
Strike: "$1,000,000"
Insert: "$488,000"

56. Page 14, line 15.
Strike: "$361,345,042"
Insert: "$363,789,000"

57. Page 14, line 16.
Strike: "$364,549,479 $382,558,690 $747,108,169"
Insert: "$367,558,000 $386,838,000 $754,396,000"

58. Page 14, line 24.
Strike: "$526,310,000"
Insert: "$531,895,000"

59. Page 15, line 2.

Following: "1985"
Insert: ", except as modified by Senate Bill 247 and House Bill 460"

60. Page 15.
Following: line 21
Insert: "BE IT FURTHER RESOLVED, that the Legislature recognizes that several items of pending legislation will affect the figures set forth in this resolution, some of them with a negative fiscal impact, such as:

Bill Number	FY 86	FY 87
HB 634	-$259,041	-$255,997
HB 759	-$648,478	-$641,531

BE IT FURTHER RESOLVED, that the Legislature recognizes that additional auditor positions in the Department of Revenue will result in an additional $11,000,000 in the next biennium."

And, as amended, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill No. 431
Report No. 1, April 24, 1985

Mr. President:

We, your Free Conference Committee on Senate Bill No. 431 met and considered:

Senate Bill No. 431.

We recommend as follows:

That Senate Bill No. 431, reference copy, be amended as follows:

1. Page 2, line 1.
Strike: "it meets"
Insert: "the parcels meet"

2. Page 2, line 12.
Strike: "it produces"
Insert: "the parcels produce"

3. Page 2, lines 14 and 15.
Following: "INCOME" on line 14
Strike: "in 1984 dollars, adjusted annually for inflation,"

4. Page 3, line 12.
Strike: "it"
Insert: "the parcels"

5. Page 3, line 19.
Strike: "LAND"
Insert: "Parcels that do not meet the qualifications set out in subsection (1)"

6. Page 3, line 20.
Following: "IF"
Strike: "IT IS"
Insert: "they are"

7. Page 3, lines 21 and 22.
Strike: "AFTER JANUARY 1, 1986,"

8. Page 4, lines 2 and 3.
Strike: subsection (4) in its entirety
Renumber: subsequent subsections

9. Page 5, line 21.
Following: "(C)"
Strike: "IT CONTAINS"
Insert: "the parcel contains"

That the statement of intent be amended as follows:

1. Page 1, line 10.
Following: "to"
Strike: "restrict"
Insert: "define"

2. Page 1, lines 11 and 12.
Following: "of" on line 11
Strike: "widespread abuse of and"

3. Page 1.
Following: line 12
Strike: "those reasons subsections (a) and (c)"
Insert: "that reason section 1"
Following: "(c)"
Strike: "require"
Insert: "requires"

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Hirsch, Chairman	
Mazurek	Ramirez
McCallum	Schye
	Ream

New Conference Committee
on House Bill No. 870
Report No. 1, April 24, 1985

Mr. President:

We, your New Conference Committee on House Bill No. 870 met and considered:

Senate Taxation Committee amendments, April 17, 1985.

We recommend as follows:

That House Bill No. 870, reference copy, be amended as follows:

1. Title, line 10.
Strike: "AND"
Insert: ","

2. Title, line 11.
Following: "~~DATE~~"
Insert: ", AND A TERMINATION DATE"

3. Page 6, line 5.
Following: "— ~~TERMINATION~~"
Insert: "— termination"
Following: "~~(1)~~"

Insert: "(1)"

4. Page 6.
Following: line 8
Insert: "(2) This act terminates July 1, 1987."

And that this new Conference Committee report be adopted.

For the Senate:	For the House:
Halligan, Chairman	Addy
	D. Brown
Brown	

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bill passed and transmitted to the Senate for concurrence: 4/24/85

HB 960, introduced by Menahan

Governor's amendments to Senate bills concurred in and returned to the Senate: 4/24/85

SB 25, introduced by Towe

SB 28, introduced by Eck

SB 400, introduced by Yellowtail, et al.

The House, on 4/24/85, failed to concur in Senate amendments to HB 928 and appointed a conference committee, requesting that the Senate appoint a committee to confer on Senate amendments to HB 928.

The Speaker appointed the following members:

Representative Hand
Representative Miles
Representative J.K. Moore
Representative Thoft

The House, on 4/24/85, dissolved the conference committee on Senate amendments to HB 381 and appointed a free conference committee.

The Speaker appointed the following members:

Representative J.K. Moore
Representative Peck
Representative Ream
Representative Swift

The House, on 4/24/85, dissolved the free conference committee on SB 449 and appointed a new free conference committee.

The Speaker appointed the following members:

Representative Bergene
Representative Eudaily
Representative Keenan
Representative Waldron

The House, on 4/24/85, acceded to the request of the Senate and appointed a free conference committee to meet with a committee from the Senate to confer on SB 25.

The Speaker appointed the following members:

Representative Addy
Representative D. Brown
Representative Gilbert
Representative Wallin

Senate amendments to House bills concurred in: 4/24/85

HB 12, introduced by Thomas, et al.

HB 212, introduced by Eudaily, et al.

HB 374, introduced by Waldron, B. Brown

HB 826, introduced by Ellerd, et al.

HB 861, introduced by Bardanouve, Thoft

HB 922, introduced by Harper, Thoft

HB 938, introduced by Thoft, Bardanouve

HB 947, introduced by Bardanouve, et al.

HB 949, introduced by Marks

HB 954, introduced by Thomas, Swift

HB 935, introduced by Winslow

Free conference committee reports adopted: 4/24/85

HB 924, free conference committee report

SB 392, free conference committee report

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Haffey in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 116 - That the new free conference committee report on SB 116 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Lynch in the Chair.

SB 215 - That the free conference committee report on SB 215 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 38

Noes: Boylan, Galt, Goodover, Keating, Shaw, Story, Thayer.
Total 7

Excused: None.
Total 0

Absent or not voting: Daniels, Gage, Hager, Hammond, McCallum.
Total 5

Senator Haffey in the Chair.

HB 430 - That the free conference committee report on HB 430 be adopted. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 42

Noes: Aklestad, McCallum, Shaw, Story, Thayer.
Total 5

Excused: None.
Total 0

Absent or not voting: Hager, Hirsch, Lynch.
Total 3

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Haffey moved the adoption of the committee report. Report adopted.

Senators Lynch and Shaw excused at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HJR 57 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Lynch, Shaw.
Total 2

Absent or not voting: None.
Total 0

HJR 58 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Aklestad, Galt, Goodover, Hammond.
Total 4

Excused: Lynch, Shaw.
Total 2

Absent or not voting: None.
Total 0

SB 370, House amendments, concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Haffey, Hager, Halligan, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 37

Noes: Aklestad, Boylan, Gage, Goodover, Hammond, Harding, Severson, Smith, Stephens, Thayer, Tveit.
Total 11

Excused: Lynch, Shaw.
Total 2

Absent or not voting: None.
Total 0

Senator Lynch present at this time.

SJR 36, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Blaylock, Daniels, Regan.
Total 3

Excused: Shaw.

Total 1

Absent or not voting: None.
Total 0

SB 250, Governor's amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Shaw.
Total 1

Absent or not voting: None.
Total 0

Senator Towe excused at this time.

SB 289, Governor's amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Shaw, Towe.
Total 2

Absent or not voting: None.
Total 0

Senator Towe present at this time.

HB 550, Governor's amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Boylan, Goodover, Hirsch, Smith, Tveit.
Total 5

Excused: Shaw.
Total 1

Absent or not voting: None.
Total 0

Senators Aklestad, Harding, McCallum, and Regan excused at this time.

HB 567, Governor's amendments, concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Aklestad, Harding, McCallum, Regan, Shaw.
Total 5

Absent or not voting: None.
Total 0

Senators Aklestad, Harding, McCallum and Regan present at this time.

Senators Hager and Mazurek excused at this time.

HB 739, Governor's amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Hager, Mazurek, Shaw.
Total 3

Absent or not voting: None.
Total 0

Senators Hager and Mazurek present at this time.

HB 798, Governor's amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.

Total 0

Excused: Shaw.
Total 1

Absent or not voting: None.
Total 0

SB 116, new free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Bengtson, Boylan, Goodover, Keating, Mohar, Thayer.
Total 6

Excused: Shaw.
Total 1

Absent or not voting: None.
Total 0

Senator Pinsoneault excused at this time.

SB 215, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Stephens, Stimatz, Story, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Boylan, Goodover, Smith, Thayer, Tveit.
Total 5

Excused: Pinsoneault, Shaw.
Total 2

Absent or not voting: None.
Total 0

Senator Pinsoneault present at this time.

HB 430, free conference committee report, adopted as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Regan, Severson, Smith, Stephens, Stimatz, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Aklestad, McCallum, Pinsoneault, Story, Thayer.
Total 5

Excused: Shaw.
Total 1

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Halligan moved that the President be authorized to dissolve the conference committee on Senate amendments to HB 870 and that he be authorized to appoint a new conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Halligan, Chairman
Senator Eck
Senator Brown

Senator Van Valkenburg moved that the Senate accede to the request of the House to appoint a free conference committee to meet with a committee from the House of Representatives to confer on SB 25. Motion carried unanimously.

The President appointed the following members:

Senator Towe, Chairman
Senator Halligan
Senator Smith

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on Senate amendments to HB 928. Motion carried unanimously.

The President appointed the following members:

Senator Fuller, Chairman
Senator Christiaens
Senator Tveit

Senator Van Valkenburg moved that the Senate recess until 10:15 a.m. Motion carried unanimously.

Senate recessed at 9:46 a.m.

Senate reconvened at 10:15 a.m.

President Pro Tempore Blaylock in the Chair.

MOTIONS

Senator Van Valkenburg moved that the Senate recess until 10:30 a.m. Motion carried unanimously.

Senate recessed at 10:16 a.m.

Senate reconvened at 10:40 a.m.

Senator Shaw present at this time.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill No. 381
Report No. 1, April 25, 1985

Mr. President:

We, your Free Conference Committee on House Bill No. 381 met and considered:

House Bill No. 381.

We recommend as follows:

That House Bill No. 381, reference copy, be amended as follows:

1. Title, line 6.
Strike: "$57,000"
Insert: "$40,000"

2. Page 1, line 14.
Strike: "$57,000"
Insert: "$40,000"

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Jacobson, Chairman	J.K. Moore
Stimatz	
Farrell	Ream
	Swift

FIRST READING OF BILLS

The following House bill was introduced, read first time, and referred to committee:

HB 960, introduced by Menahan. Referred to Committee on Legislative Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Haffey in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 431 - That the free conference committee report on SB 431 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 40

Noes: Bengtson, Boylan, Brown, Crippen, Farrell, Hager, Himsl, Lynch, McCallum, Stephens.
Total 10

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SR 5 - That SR 5 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Haffey moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 3.

REPORTS OF SELECT COMMITTEES

New Free Conference Committee
on Senate Bill No. 449
Report No. 2, April 24, 1985

Mr. President:

We, your New Free Conference Committee on Senate Bill No. 449 met and considered:

Senate Bill No. 449.

We recommend as follows:

That Senate Bill No. 449, reference copy, be amended as follows:

1. Title, line 6.
Strike: "REQUIRING"
Insert: "PRESUMING"

2. Title, line 7.
Strike: "CERTAIN"

3. Title, line 13.
Strike: "AND A TERMINATION DATE"

4. Page 3.
Following: line 2
Insert: "NEW SECTION. Section 2. Written report when no arrest made in domestic violence situation. When a peace officer is called to the scene of a reported incident of domestic violence but he does not make an arrest, he shall file a written report with the officer commanding the law enforcement agency employing him, setting forth the reason or reasons for his decision."
Renumber: subsequent sections

5. Page 3, line 10.

Following: "~~with~~"
Insert: "immediate notice of any legal rights and remedies available. The notice must include furnishing the victim with"
Strike: "NOTICE"
Insert: "statement"

6. Page 4, line 12.
Following: "~~member~~"
Insert: "or aggravated assault against a family member or household member"

7. Page 5, line 7.
Strike: "SHALL"
Insert: "may"

8. Page 5, lines 11 through 13.
Strike: "ANYTIME WITHIN A 4-HOUR PERIOD PRIOR TO THE ARREST AND THAT THERE IS A STRONG POSSIBILITY OF PUBLIC DANGER IF NO ARREST IS MADE,"
Insert: "or aggravated assault against a family member or household member"

9. Page 5, line 19.
Following: "ARREST."
Insert: "Arrest is the preferred response in domestic abuse cases involving injury to the victim, use or threatened use of a weapon, violation of a restraining order, or other imminent danger to the victim."

10. Page 6, line 20.
Strike: "—"

11. Page 6, lines 21 and 22.
Strike: "TERMINATION DATE"
Following: "1985."
Strike: "THIS" through "1987." on line 22

And that this New Free Conference Committee report be adopted.

For the Senate:	For the House:
Regan, Chairman	Bergene
Mazurek	Eudaily
	Keenan
	Waldron

MOTIONS

Senator Van Valkenburg moved that the Senate recess until 11:50 a.m. Motion carried unanimously.

Senate recessed at 11:23 a.m.

Senate reconvened at 12:12 p.m.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill No. 500
Report No. 1, April 25, 1985

Mr. President:

We, your Free Conference Committee on House Bill No. 500 met and considered:

House Bill No. 500.

We recommend as follows:

That House Bill No. 500, reference copy, be amended as follows:

A1. Page 5, line 9.
Strike: "1,069,503 1,041,559"
Insert: "1,113,793 1,085,849"

A2. Page 6, line 5.
Strike: "20,000"
Insert: "30,000"

A3. Page 7, line 6.
Strike: "39,200"
Insert: "25,200"

A4. Page 10, line 12.
Strike: "2,158,880 2,172,575"
Insert: "5,329,513 5,325,448"

A5. Page 10, line 25.
Strike: "653,698 695,324"
Insert: "666,698 708,324"

A6. Page 13, line 17.
Following: "BIENNIUM."
Insert: "The Governor's Office shall report quarterly on the coal lobby effort to the Revenue Oversight Committee."

A7. Page 16, line 10.
Strike: "50,000 50,000"

A8. Page 16, line 15.
Strike: "389,551 409,036"
Insert: "359,551 374,036"

A9. Page 16, line 22.
Strike: "639,238 641,531"
Insert: "667,504 661,777"

A10. Page 17.
Following: line 5
Insert: "C. Nongender Insurance Law
54,563" (state special revenue, fiscal 1986)

A11. Page 17, line 11.
Strike: line 11 in its entirety

A12. Page 17.
Following: line 13
Insert: "Item 5c is a biennial appropriation. The appropriation for item 5c includes a 1.0 FTE to implement the nongender insurance law. The agency is not to include this FTE in its current level budget request presented to the 1987 Legislature."

A13. Page 18, line 16.
Strike: "2,919,511 3,032,747"
Insert: "2,969,511 3,082,747"

A14. Page 19, line 21.
Strike: "300,845"

A15. Page 19, line 23.

Strike: "100,000" (GF 1986)
Insert: "100,000" (GF 1987)

A16. Page 21.
Following: line 15
Insert: "The portion of the appropriation in item 10 from the state special highway revenue account for the purpose of establishing the regional dispatch center is provided for the 1987 biennium only. The Department of Justice shall develop a cost allocation plan for the purpose of recovering the cost of operation of regional dispatch centers from all user agencies on an equitable basis, and shall submit the funding plan to the 50th Legislature within the Department's 1989 biennium budget request. It is the intent that a direct appropriation from the state special highway revenue account not be used for this purpose."

A17. Page 21.
Following: line 15
Insert: "If SB 116 passes, item 9 shall be increased by no more than $715,787 general fund in fiscal 1986 and $752,312 general fund in fiscal 1987. If SB 116 is amended and the cost is less than stated in sentence 1, item 9 may be increased only for the fiscal impact of SB 116 as passed and approved."

A18. Page 23, line 23.
Strike: "10,641,336"
Insert: "10,315,236"

A19. Page 25.
Following: line 9
Insert: "The appropriation for the Income Tax Division includes the additional 19 FTE added. These FTE include 4.5 FTE systems development positions, 6.0 FTE audit staff, and 8.5 FTE collection staff. The agency is prohibited from including these 19 FTE in its current level budget request presented to the 1987 Legislature."

A20. Page 32.
Following: line 7
Insert: "Contingent upon passage of HB 430, $12,500 in fiscal 1986 and $12,500 in fiscal 1987 are appropriated to the Group Benefits Program of Personnel Division (item 11), in the proprietary fund."

B1. Page 43, line 6.

Strike:	"539,120	543,827"
Insert:	"559,314	548,374"

B2. Page 48, line 6.

Strike:	"10,929,595	6,247,800	11,607,407	6,247,800"
Insert:	"10,649,454	6,527,941	11,261,986	6,593,221"

B3. Page 51.
Following: line 24
Insert: "If collections of county mill levy funds from state-assumed counties exceed $6,527,941 in fiscal 1986 and $6,593,221 in fiscal 1987, the excess will be deposited to the general fund."

C1. Page 59.
Following: line 24
Insert: "b. operations — contingency
50,000 (state special 1986)
50,000" (state special 1987)

C2. Page 61.
Following: line 9
Insert: "Item 6b is appropriated for operation and maintenance of state parks if the Kleffner Ranch is not approved in HB 928. If the Kleffner Ranch is approved in HB 928 this appropriation is void."

C3. Page 62, line 21.
Insert: "30,000" (General Fund 1987)

C4. Page 62, line 21.
Insert: "G. Board of Water Well Contractors
37,012 (state special 1986)
36,432" (state special 1987)

C5. Page 63.
Strike: lines 15 and 16 in their entirety

C6. Page 64, line 15.
Strike: "2,350,147 2,235,188"
Insert: "2,313,135 2,198,756"

C7. Page 64, line 24.
Strike: "775,562 770,858"
Insert: "735,562 730,858"

C8. Page 65, line 16.
Strike: "0 0"
Insert: "15,459,000 15,883,000"

C9. Page 65, line 18.
Strike: "8,820,000 8,232,840"
Insert: "3,115,980 2,957,671"

C10. Page 66, line 5.
Strike: "1,375,000" (in fiscal 1987)
Insert: "-0-" (in fiscal 1987)

C11. Page 66, line 17.
Strike: "604,288 566,815"
Insert: "644,288 606,815"

C12. Page 67.
Strike: lines 18 and 19 in their entirety

E1. Page 78, line 9.
Strike: "932,346 904,181"
Insert: "914,677 886,512"

E2. Page 78, line 12.
Strike: "440,382 446,119"
Insert: "408,192 413,928"

E3. Page 79, line 17.
Strike: "1,500,000"
Insert: "1,000,000"

E4. Page 82.
Following: line 10
Insert: "Included in items 1 through 4 is $127,612 in fiscal 1986 and $128,910 in fiscal 1987 of federal vocational education funds. For each dollar of federal vocational education funds received by the Billings Vocational-Technical Center exceeding these amounts in each fiscal year, a general fund reversion of 50 cents shall occur."

E5. Page 83.
Following: line 9
Insert: "Included in items 1 through 4 is $121,613 in fiscal 1986 and $121,613 in fiscal 1987 of federal vocational education funds. For each dollar of federal vocational education funds received by the Butte Vocational-Technical Center exceeding these amounts in each fiscal year, a general fund reversion of 50 cents shall occur."

E6. Page 84.
Following: line 8
Insert: "Included in items 1 through 4 is $121,010 in fiscal 1986 and $121,221 in fiscal 1987 of federal vocational education funds. For each dollar of federal vocational education funds received by the Great Falls Vocational-Technical Center exceeding these amounts in each fiscal year, a general fund reversion of 50 cents shall occur."

E7. Page 85.
Following: line 7
Insert: "Included in items 1 through 4 is $106,295 in fiscal 1986 and $107,743 in fiscal 1987 of federal vocational education funds. For each dollar of federal vocational education funds received by the Helena Vocational-Technical Center exceeding these amounts in each fiscal year, a general fund reversion of 50 cents shall occur."

E8. Page 86.
Following: line 6
Insert: "Included in items 1 through 4 is $327,807 in fiscal 1986 and $326,987 in fiscal 1987 of federal vocational education funds. For each dollar of federal vocational education funds received by the Missoula Vocational-Technical Center exceeding these amounts in each fiscal year, a general fund reversion of 50 cents shall occur."

E9. Page 90.
Following: line 5
Insert: "8. Natural Heritage Program
75,000 (state special revenue column fiscal 1986)
75,140" (federal special revenue column fiscal 1986)

E10. Page 90.
Following: line 10
Insert: "Amounts in item 8 represent a biennial appropriation."

F1. Page 91, line 7.
Strike: "$14,019,000"
Insert: "$14,384,000"

F2. Page 91, line 8.
Strike: "$14,151,000"
Insert: "$14,669,000"

F3. Page 91, line 9.
Following: "MCA."
Insert: "The Department of Revenue shall levy the full six mills as authorized in section 20-15-423, MCA."

F4. Page 91, line 9.
Following: "EXCEED"
Strike: "14,187,000"
Insert: "14,384,000"

F5. Page 91, line 10.
Following: "AND"

Strike: "14,257,800"
Insert: "14,669,000"

F6. Page 91, line 15.
Strike: "24,437 24,817"
Insert: "23,101 23,465"

F7. Page 94, line 8. (Miles)
Strike: "878,918 888,017"
Insert: "862,335 871,262"

F8. Page 94, line 12.
Strike: "8,480"
Insert: "8,320"

F9. Page 94, line 16. (Dawson)
Strike: "757,688 765,532"
Insert: "743,392 751,088"

F10. Page 94, line 20.
Strike: "8,480"
Insert: "8,320"

F11. Page 94, line 24. (Flathead)
Strike: "1,610,087 1,626,756"
Insert: "1,579,708 1,596,062"

F12. Page 95, line 6.
Strike: "8,480"
Insert: "8,320"

F13. Page 95, line 12.
Strike: "53%"
Insert: "52%"

F14. Page 95, line 14.
Strike: "42.4%"
Insert: "41.6%"

F15. Page 95, line 15.
Strike: "57.6%"
Insert: "58.4%"

F16. Page 96, line 7.
Strike: "6,142,443 6,131,547"
Insert: "5,971,058 5,942,232"

F17. Page 97, line 7. (MSU)
Strike: "16,522,882 8,724,388 16,219,047 8,716,400"
Insert: "16,445,067 8,802,203 16,056,623 8,878,824"

F18. Page 98, line 19. (UM)
Strike: "12,164,647 6,428,674 6,449,637"
Insert: "12,104,759 6,488,562 6,574,641"

F19. Page 98, line 20. (UM)
Strike: "12,288,456"
Insert: "12,163,452"

F20. Page 100, line 12. (EMC)
Strike: "2,345,533"
Insert: "2,398,989"

F21. Page 100, line 13. (UM)

Strike:	"4,407,788	2,333,690	4,375,382"
Insert:	"4,382,178	2,359,300	4,321,926"

F22. Page 101, line 19. (NMC)
Strike: "1,484,713"
Insert: "1,509,385"

F23. Page 101, line 20. (NMC)

Strike:	"2,753,993	1,452,667	2,743,993"
Insert:	"2,742,173	1,464,487	2,719,321"

F24. Page 103, line 4. (WMC)
Strike: "592,878"
Insert: "606,038"

F25. Page 103, line 5. (WMC)

Strike:	"1,110,953	583,692	1,103,545"
Insert:	"1,104,649	589,996	1,090,385"

F26. Page 104, line 10. (Tech)
Strike: "1,468,155"
Insert: "1,500,639"

F27. Page 104, line 11. (Tech)

Strike:	"2,614,503	1,577,565	2,723,032"
Insert:	"2,598,940	1,593,128	2,690,548"

LFA will amend totals.

And that this Free Conference Committee report be adopted.

For the Senate:

Van Valkenburg, Chairman
Regan
Keating

For the House:

Bardanouve
Marks

Waldron

New Conference Committee
on Senate Amendments to House Bill No. 870
Report No. 1, April 24, 1985

Mr. President:

We, your New Conference Committee on Senate Amendments to House Bill No. 870 met and considered:

Senate Taxation Committee amendments, April 17, 1985.

We recommend as follows:

That House Bill No. 870, reference copy, be amended as follows:

1. Title, line 10.
Strike: "AND"
Insert: ","

2. Title, line 11.
Following: "~~DATE~~"
Insert: ", AND A TERMINATION DATE"

3. Page 6, line 5.
Following: "— ~~TERMINATION~~"
Insert: "— termination"
Following: "~~(1)~~"

Insert: "(1)"

4. Page 6.
Following: line 8
Insert: "(2) This act terminates July 1, 1987."

And that this New Conference Committee report be adopted.

For the Senate:

Halligan, Chairman

Eck

For the House:

Addy
D. Brown

MOTIONS

Senator Van Valkenburg moved that the Senate recess until 1:45 p.m. Motion carried unanimously.

Senate recessed at 12:13 p.m.

Senate reconvened at 1:49 p.m.

COMMUNICATIONS AND PETITIONS

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 25, 1985

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Vincent:

Here's to Montana, and the 90th day!

People who are involved with public affairs in other states marvel at how we do it in Montana...how we set state policy and balance our budget during 90-day legislative sessions every other year. Clearly, the way we do it is by working together...rolling up our sleeves and tackling the tough issues.

The system works because 150 legislators make it work. Thanks for the long days, the late nights and the dedication that gets the job done.

Respectfully yours,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bill concurred in and returned to the Senate: 4/25/85

SJR 42, introduced by Fuller, et al.

Governor's amendments to House bills concurred in and returned to the Senate for concurrence in Governor's amendments: 4/25/85

HB 236, introduced by Pavlovich, et al.

HB 636, introduced by Abrams, et al.

HB 766, introduced by Ream, et al.

HB 812, introduced by Bradley, et al.

Free conference committee reports concurred in and returned to the Senate: 4/25/85

HB 430, free conference committee report

SB 116, free conference committee report

SB 431, free conference committee report

New Free conference committee report concurred in and returned to the Senate: 4/25/85

SB 449, new free conference committee report

The House, on 4/24/85, dissolved the conference committee on Senate amendments to HB 870 and appointed a new conference committee.

The Speaker appointed the following members:

Representative Addy
Representative Brown
Representative Gilbert
Representative Wallin

MOTIONS

Senator Van Valkenburg moved that the Senate recess, subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 1:54 p.m.

Senate reconvened at 2:45 p.m.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Christiaens moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Haffey in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 870 - That the new conference committee report on Senate amendments to HB 870 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.

Total 0

SB 449 - Senator Christiaens moved that the new free conference committee report on SB 449 be placed below the Governor's amendments to HB 236. Motion carried unanimously.

HB 381 - That the free conference committee report on HB 381 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 500 - At the request of the Chairman, and without objection, the free conference committee report on HB 500 be moved to the bottom of the board.

HB 236 - That the Governor's amendments to HB 236 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 449 - That the new free conference committee report on SB 449 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 636 - That the Governor's amendments to HB 636 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 766 - At the request of Senator Halligan, and without objection, the Governor's amendments to HB 766 be moved below the Governor's amendments to HB 812.

Senator Lynch in the Chair.

HB 812 - That the Governor's amendments to HB 812 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Haffey in the Chair.

HB 766 - That the Governor's amendments to HB 766 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 500 - That the free conference committee report on HB 500 be adopted. Motion carried as follows:

Ayes: Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Harding, Himsl, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Stimatz, Story, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 32

Noes: Aklestad, Anderson, Bengtson, Boylan, Galt, Goodover, Hammond, Hirsch, Kolstad, Shaw, Smith, Stephens, Thayer, Weeding.
Total 14

Excused: None.
Total 0

Absent or not voting: McCallum, Neuman, Severson, Tveit.
Total 4

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Haffey moved the adoption of the committee report. Report adopted.

Senator Eck excused at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 431, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Blaylock, Christiaens, Conover, Daniels, Farrell, Fuller, Gage, Galt, Haffey, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 39

Noes: Bengtson, Boylan, Brown, Crippen, Goodover, Hager, Himsl, Lynch, McCallum, Stephens.
Total 10

Excused: Eck.
Total 1

Absent or not voting: None.

Total 0

Senator Goodover excused at this time.

HB 870, new conference committee report on Senate amendments, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Smith, Story, Tveit.
Total 3

Excused: Eck, Goodover.
Total 2

Absent or not voting: None.
Total 0

Senator Goodover present at this time.

HB 381, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Eck.
Total 1

Absent or not voting: None.
Total 0

SB 449, new free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Galt, Goodover, Hammond.
Total 3

Excused: Eck.
Total 1

Absent or not voting: None.

Total 0

HB 500, free conference committee report, adopted as follows:

Ayes: Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Harding, Himsl, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Story, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 33

Noes: Aklestad, Anderson, Bengtson, Boylan, Galt, Goodover, Hammond, Hirsch, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Thayer, Tveit, Weeding.
Total 17

Paired: Eck, Aye; Weeding, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of Senator Smith, and without objection, Senator Smith's vote on the free conference committee report on SB 431 be recorded as yes.

At the request of Senator Tveit, and without objection, Senator Tveit's vote on the free conference committee report on SB 431 be recorded as yes.

At the request of Senator Kolstad, and without objection, Senator Kolstad's vote on the free conference committee report on SB 431 be recorded as yes.

At the request of Senator Goodover, and without objection, Senator Goodover's vote on the free conference committee report on SB 431 be recorded as no.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate recess until 4:20 p.m. Motion carried unanimously.

Senate recessed at 3:48 p.m.

Senate reconvened at 4:21 p.m.

Senator Van Valkenburg moved that the Senate recess until 4:30 p.m. Motion carried unanimously.

Senate recessed at 4:23 p.m.

Senate reconvened at 4:41 p.m.

Senator Eck present at this time.

At the request of Senator Blaylock, and without objection, Senator Blaylock's vote on HB 500 be recorded as yes.

Senator Halligan moved that the President be authorized to dissolve the new conference committee on Senate amendments to HB 870 and that he

be authorized to appoint a second new conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Halligan, Chairman
Senator Eck
Senator Brown

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 4/25/85
Correctly enrolled: SB 325.
Examined by the sponsor (Van Valkenburg) and found to be correct: SB 325.
Signed by the President at 11:00 a.m., 4/25/85: SB 54, SB 129, SB 178, SB 325, SB 349, SJR 33, SJR 37.
Delivered to the Governor for his approval at 12:00 p.m., 4/25/85: SB 325.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill No. 25
Report No. 1, April 25, 1985

Mr. President:

We, your Free Conference Committee on Senate Bill No. 25 met and considered:

Senate Bill No. 25.

We recommend as follows:

That Senate Bill No. 25, reference copy, be amended as follows:

1. Title, line 5.
Strike: "REQUIRING"
Insert: "AUTHORIZING"

2. Title, line 7.
Strike: "REQUIRING"
Insert: "AUTHORIZING"
Strike: "FULL"

3. Page 1, line 16.
Following: "shall"
Insert: ", to the extent that money is appropriated,"

4. Page 2, lines 5 through 7.
Following: "(3)" on line 5
Strike: remainder of line 5 through "(1)" on line 7
Insert: "If money appropriated for the expenses listed in subsection (1) is insufficient to fully fund those expenses, the county is responsible for payment of the balance. If no money is appropriated, the county is responsible for payment of all expenses."

5. Page 2, line 12.
Following: "[section 1]"
Insert: ", including prorating of those funds if they are insufficient to cover all expenses listed in [section 1]"

6. Page 3, line 4.
Following: "fees"
Insert: "on a full or prorated basis in accordance with [section 2]"

7. Page 3, line 25.
Following: "courts in the district"
Insert: "and the amount appropriated for that purpose"

8. Page 4, line 1.
Following: "portion"
Insert: "of the remainder"

9. Page 4, line 2.
Following: "~~criminal~~"
Insert: "and criminal"

10. Page 5, line 12.
Following: "who"
Insert: ", in accordance with [section 2],"

11. Page 5, line 13.
Following: "of"
Insert: "all or a portion of"

12. Page 5, line 14.
Following: "reporter."
Insert: "If the supreme court administrator, in accordance with [section 2], pays none or only a portion of the amount due, the county shall pay the balance upon receipt of a statement from the reporter."

13. Page 5, line 24.
Following: "(2)"
Insert: "to the extent funds are available"
Following: "."
Insert: "The county shall pay the remainder as required in [section 1]."

14. Page 6, line 2.
Following: "grants"
Insert: ", to the extent funds are appropriated for that purpose,"

15. Page 6, lines 4 through 6.
Following: "section." on line 4
Strike: remainder of line 4 through "." on line 6

16. Page 6, lines 10 through 13.
Strike: "(2)" on line 10 through ":" on line 13
Renumber: subsequent subsections

17. Page 7, line 12.
Strike: "The"
Insert: "To the extent funds are available, the"

18. Page 10, line 9.
Following: "~~(1)~~"
Insert: "(1)"

19. Page 10.
Following: line 18
Insert: "(2) If a criminal action is removed before trial, the costs accruing upon such removal and trial must be a charge against the

county in which the indictment was found or information filed, subject to partial or total reimbursement as provided in [section 1]."

20. Page 11, line 1.
Following: "~~county~~"
Insert: "county,"
Following: "city"
Insert: ","
Strike: "or"
Following: "town"
Insert: ","

21. Page 11, line 15.
Following: "chargeable"
Insert: "as provided in [section 1]"
Following: "~~arose~~"
Insert: "county in which the proceeding arose, the"

22. Page 11, line 16.
Following: "administrator,"
Insert: "or both,"

23. Page 12, line 9.
Following: "[section 2(1)]"
Insert: "and, to the extent those costs are not paid by the state, at county expense in accordance with [section 1(3)] and [section 2(1)]"

24. Page 12, line 19.
Strike: "The"
Insert: "Subject to the procedures established under [section 2(1)], the"

25. Page 13, line 23.
Following: "by the"
Insert: "county or the"

26. Page 13, line 24.
Following: "state"
Insert: ", or both,"

27. Page 16, line 17.
Following: "for"
Insert: "all or a portion of"

28. Page 17, line 8.
Following: "fund"
Insert: "to the extent the expenses were paid by the state"

29. Page 17, line 19.
Following: "APPROVED"
Insert: "or if Senate Bill No. 142, as passed and approved, contains no funding or appropriation for district court expenses and grants"

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Towe, Chairman	Addy
Halligan	
E. Smith	Gilbert
	Wallin

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman April 25, 1985

President of the Senate
State Capitol
Helena, Montana 59620

Dear Mr. President:

This is to inform you that I have signed Senate Bill No. 325 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman April 25, 1985
President of the Senate
State Capitol
Helena, Montana 59620

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 26, 79, 109, and 361 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

New conference committee report rejected: 4/25/85

HB 870, new conference committee report

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Haffey in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Senator Christiaens excused at this time.

HJR 9 - That HJR 9 be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Conover, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, Neuman, Pinsoneault, Regan, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 31

Noes: Aklestad, Boylan, Galt, Goodover, Hager, Hammond, Kolstad, Mohar, Severson, Shaw, Stimatz, Thayer.
Total 12

Excused: Christiaens.
Total 1

Absent or not voting: Crippen, McCallum, Smith, Stephens, Story, Tveit.
Total 6

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Haffey moved the adoption of the committee report. Report adopted.

Senator Tveit excused at this time.

Senator Christiaens present at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 236, Governor's amendments, concurred in as follows:

Ayes: Anderson, Bengtson, Boylan, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 39

Noes: Aklestad, Blaylock, Brown, Eck, Hager, Hammond, Harding, Himsl, Regan, Shaw.
Total 10

Excused: Tveit.
Total 1

Absent or not voting: None.
Total 0

HB 636, Governor's amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Tveit.
Total 1

Absent or not voting: None.
Total 0

HB 766, Governor's amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Boylan, Hager, Shaw.
Total 3

Excused: Tveit.
Total 1

Absent or not voting: None.
Total 0

HB 812, Governor's amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Galt, Goodover, Hammond, Shaw.
Total 4

Excused: Tveit.
Total 1

Absent or not voting: None.
Total 0

HJR 9, concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, Neuman, Pinsoneault, Regan, Stephens, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 34

Noes: Aklestad, Boylan, Galt, Goodover, Hager, Hammond, Kolstad, McCallum, Mohar, Severson, Shaw, Smith, Stimatz, Story, Thayer.
Total 15

Excused: Tveit.
Total 1

Absent or not voting: None.
Total 0

Senator Tveit present at this time.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the rules be temporarily suspended for the purpose of accepting HB 240 and considering House amendments to SB 72 and House amendments to SB 377. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 48

Noes: Goodover, Shaw.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg requested that HB 240 be assigned to the Committee on Taxation. The request was granted by the President.

Senator Fuller moved that the President be authorized to dissolve the conference committee on Senate amendments to HB 928 and that he be authorized to appoint a free conference committee. Motion carried unanimously.

The President appointed the following members:

Senator Fuller, Chairman
Senator Christiaens
Senator Tveit

Senator Van Valkenburg moved that the rules be temporarily suspended for the purpose of introducing HB 961. Motion carried as follows:

Ayes: Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Goodover, Haffey, Halligan, Hammond, Jacobson, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Shaw, Stephens, Stimatz, Thayer, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 32

Noes: Aklestad, Bengtson, Farrell, Gage, Hager, Harding, Himsl, Hirsch, Keating, Lane, Severson, Smith, Tveit, Weeding.
Total 14

Excused: None.
Total 0

Absent or not voting: Galt, Kolstad, Regan, Story.
Total 4

Senator Van Valkenburg requested that HB 961 be assigned to the Committee on Finance and Claims. The request was granted by the President.

Senator Van Valkenburg moved that the Senate recess until 6:15 p.m. Motion carried unanimously.

Senate recessed at 5:41 p.m.

Senate reconvened at 6:55 p.m.

REPORTS OF STANDING COMMITTEES

FINANCE AND CLAIMS (Regan, Chairman): 4/25/85
HB 961, be concurred in. Report adopted.

TAXATION (Towe, Chairman): 4/25/85
HB 240, third reading copy, be amended as follows:

1. Page 28, line 3 through page 29, line 19.
Strike: subsection (3) in its entirety

Insert: "(3) R = A/B where:

(a) A is the total statewide taxable value of all commercial property as commercial property is described in 15-1-101(1)(d), including class 1 and class 2 property; and

(b) B is the total statewide market value of all commercial property as commercial property is described in 15-1-101(1)(d), including class 1 and class 2 property."

2. Page 30, line 9.
Following: "PROPERTY"
Insert: "and reduce the taxable value of property described in subsection (4) only, by multiplying the total statewide taxable value of property described in subsection (4) by "M" prior to calculating "A" in subsection (3)"

3. Page 30.
Following: line 9
Insert: "(c) the adjustment referred to in subsection (4)(b) will be made beginning January 1, 1986 and in each subsequent tax year to equalize the railroad and airline taxable values."

4. Page 30, line 13.
Following: "ACT]"
Strike: ":"
Insert: ","

5. Page 30, line 14.
Strike: "A"
Following: "IS THE"
Insert: "equalized"

6. Page 30, line 16.
Strike: "IN MONTANA; AND"
Insert: "as commercial property is defined in 15-1-101(1)(d)."

7. Page 30.
Strike: lines 17 through 19 in their entirety

And, as amended, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

2nd New Conference Committee
on House Bill No. 870
Report No. 1, April 24, 1985

Mr. President:

We, your 2nd New Conference Committee on House Bill No. 870 met and considered:

Senate Taxation Committee amendments, April 17, 1985.

We recommend as follows:

That House Bill No. 870, reference copy, be amended as follows:

1. Title, line 10.
Strike: "AND"
Insert: ","

2. Title, line 11.
Following: "~~DATE~~"

Insert: ", AND A TERMINATION DATE"

3. Page 3, line 7.
Strike: "$12"
Insert: "$6"
Strike: "$14"
Insert: "$7.50"

4. Page 3, line 11.
Strike: "6"
Insert: "3"
Strike: "7"
Insert: "4"

5. Page 6, line 5.
Following: "— ~~TERMINATION~~"
Insert: "— termination"
Following: "~~(1)~~"
Insert: "(1)"

6. Page 6.
Following: line 8
Insert: "(2) This act terminates July 1, 1987."

And that this 2nd New Conference Committee report be adopted.

For the Senate:	For the House:
Halligan, Chairman	Addy
B. Brown	D. Brown
	Gilbert
	Wallin

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bill concurred in and returned to the Senate: 4/25/85

SJR 44, introduced by Christiaens, et al.

House bill passed and transmitted to the Senate for concurrence: 4/25/85

HB 961, introduced by Bardanouve, et al.

Governor's amendments to Senate bills concurred in: 4/25/85

SB 250, introduced by Ramirez, et al.

SB 289, introduced by Marks, et al.

Free conference committee reports adopted: 4/25/85

HB 381, free conference committee report

HB 500, free conference committee report

The House, on 4/25/85, dissolved the new conference committee on Senate amendments to HB 870 and appointed a second new conference committee.

The Speaker appointed the following members:

Representative Addy
Representative Brown
Representative Gilbert
Representative Wallin

FIRST READING OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 240, introduced by Ramirez, Crippen, B. Brown, (By Request of the Revenue Oversight Committee). Referred to Committee on Taxation.

HB 961, introduced by Bardanouve, J.K. Moore, Bergene, Vincent, Schye, Miller, O'Connell, McCormick, Marks, Harper, Kitselman, Ramirez, Goodover, Neuman, Nelson, Van Valkenburg, Manning, Mercer. Referred to Committee on Finance and Claims.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that HB 198, HB 410, and HB 704 be moved to the bottom of the board. Motion carried unanimously.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Haffey in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 25 - That the free conference committee report on the Governor's amendments to SB 25 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Keating, Thayer.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 870 - That the second new conference committee report on Senate amendments to HB 870 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Crippen, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Pinsoneault, Severson, Shaw, Stephens, Story, Thayer, Towe, Williams, Yellowtail.
Total 35

Noes: Christiaens, Conover, Daniels, Eck, Goodover, Mohar, Neuman, Regan, Smith, Tveit, Van Valkenburg, Weeding, Mr. President.

Total 13

Excused: None.
Total 0

Absent or not voting: Boylan, Stimatz.
Total 2

SB 72 - That House amendments to SB 72 be not concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Yellowtail.
Total 39

Noes: Blaylock, Christiaens, Eck, Haffey, Lane, Mohar, Regan, Van Valkenburg, Weeding, Williams, Mr. President.
Total 11

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 377 - That House amendments to SB 377 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 240 - Senator Van Valkenburg moved that HB 240 be moved to the top of the board. Motion carried unanimously.

That HB 240 be concurred in. Motion carried as follows:

Ayes: Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Smith, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 30

Noes: Aklestad, Anderson, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Severson, Shaw, Stephens, Story, Thayer, Tveit.
Total 20

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Haffey moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 25, free conference committee report on Governor's amendments, adopted as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 38

Noes: Aklestad, Boylan, Christiaens, Galt, Goodover, Hammond, Kolstad, McCallum, Mohar, Story, Thayer, Tveit.
Total 12

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 870, second new conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, Pinsoneault, Regan, Severson, Shaw, Stephens, Story, Thayer, Williams, Yellowtail, Mr. President.
Total 35

Noes: Boylan, Christiaens, Eck, Goodover, Jacobson, Lynch, McCallum, Mohar, Neuman, Smith, Stimatz, Towe, Tveit, Van Valkenburg, Weeding.
Total 15

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 377, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 240 concurred in as follows:

Ayes: Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Halligan, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 29

Noes: Aklestad, Anderson, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 21

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the President be empowered to appoint a conference committee to meet with a committee from the House of Representatives to confer on House amendments to SB 72. Motion carried unanimously.

The President appointed the following members:

Senator Neuman, Chairman
Senator Mohar
Senator Hager

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Haffey in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 198 - That HB 198, third reading copy, be amended as follows:

1. Title, line 6.
Strike: "A FIVE"
Insert: "ZERO"

2. Page 2, line 12.
Strike: "5%"
Insert: "0%"

3. Page 2, line 21.
Strike: "31.50"
Insert: "30.00"

4. Page 2, line 22.
Strike: "28.63"
Insert: "27.27"

5. Page 2, line 23.
Strike: "26.25"
Insert: "25.00"

6. Page 2, line 24.
Strike: "24.23"
Insert: "23.08"

7. Page 2, line 24.
Strike: "22.50"
Insert: "21.43"

8. Page 3, line 1.
Strike: "21.00"
Insert: "20.00"

9. Page 6, line 10.
Strike: "8.97"
Insert: "8.55"

10. Page 6, line 11.
Strike: "8.15"
Insert: "7.77"

11. Page 6, line 12.
Strike: "7.48"
Insert: "7.12"

12. Page 6, line 13.
Strike: "6.89"
Insert: "6.57"

13. Page 6, line 14.
Strike: "6.40"
Insert: "6.10"

14. Page 6, line 15.
Strike: "5.98"
Insert: "5.70"

15. Page 6, line 16.
Strike: "5.60"
Insert: "5.34"

16. Page 6, line 17.
Strike: "5.27"
Insert: "5.02"

17. Page 6, line 18.
Strike: "4.98"
Insert: "4.75"

18. Page 6, line 19.
Strike: "4.72"
Insert: "4.50"

19. Page 6, line 20.
Strike: "4.48"
Insert: "4.27"

20. Page 6, line 21.
Strike: "4.27"
Insert: "4.07"

21. Page 6, line 22.
Strike: "4.07"
Insert: "3.88"

22. Page 6, line 23.
Strike: "3.89"
Insert: "3.71"

23. Page 6, line 24.
Strike: "3.74"
Insert: "3.56"

24. Page 6, line 25.
Strike: "3.59"
Insert: "3.42"

25. Page 7, line 1.
Strike: "3.44"
Insert: "3.28"

26. Page 7, line 2.
Strike: "3.31"
Insert: "3.16"

27. Page 7, line 3.
Strike: "3.20"
Insert: "3.05"

28. Page 7, line 4.
Strike: "3.08"
Insert: "2.94"

29. Page 7, line 5.
Strike: "2.99"
Insert: "2.85"

30. Page 7, line 6.
Strike: "2.88"
Insert: "2.75"

31. Page 7, line 7.
Strike: "2.80"
Insert: "2.67"

32. Page 7, line 8.
Strike: "2.71"
Insert: "2.59"

33. Page 7, line 9.
Strike: "2.63"
Insert: "2.51"

34. Page 7, line 10.
Strike: "2.56"
Insert: "2.44"

35. Page 7, line 11.
Strike: "2.48"
Insert: "2.37"

36. Page 7, line 12.
Strike: "2.42"
Insert: "2.31"

37. Page 7, line 13.
Strike: "2.36"
Insert: "2.25"

38. Page 7, line 14.
Strike: "2.29"
Insert: "2.19"

39. Page 7, line 15.
Strike: "2.23"
Insert: "2.13"

40. AMEND SENATE TAXATION COMMITTEE REPORT OF APRIL 20 ON HOUSE BILL NO. 198 AS FOLLOWS.

Amendment No. 1
Strike: amendment no. 1 in its entirety

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 198, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 410 - That HB 410 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 704 - That HB 704, third reading copy, be amended as follows:

1. Title, line 5.
Following: "AN ACT"
Strike: "REQUIRING"
Insert: "ALLOWING"

2. Title, line 7.
Following: "COUNTY"
Strike: "OR"
Insert: "AND"

3. Title, line 9.
Following: "COUNTY"
Strike: "OR"
Insert: "AND"

4. Page 2, line 9.
Following: "year"
Strike: "must"
Insert: "may"

5. Page 3, line 14.
Following: "year"
Strike: "must"
Insert: "may"

6. Page 4, line 2.
Following: "rates."
Insert: "(1)"

7. Page 4, line 14.
Following: "year,"
Insert: "and if requested to do so by the county commissioners,"

8. Page 4.
Following: line 21
Insert: "(2) The county commissioners shall inform the department of revenue in writing by July 15 as to whether the county wishes to exclude protested values from the tax base for the purpose of

calculating certified mill levies. The decision of the county commissioners shall apply to all taxing jurisdictions within the county."

9. AMEND SENATE TAXATION COMMITTEE REPORT OF APRIL 19 ON HOUSE BILL NO. 704 AS FOLLOWS:

Amendment No. 10.
Page 3, subsection (4)(a) in inserted material.
Following: "year"
Strike: "must"
Insert: "may"

Amendment passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 704, as amended, be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Daniels, Eck, Farrell, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Regan, Severson, Shaw, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 36

Noes: Aklestad, Himsl, Keating, Kolstad, Mohar, Neuman, Pinsoneault, Stephens, Story, Mr. President.
Total 10

Excused: None.
Total 0

Absent or not voting: Christiaens, Fuller, Smith, Tveit.
Total 4

HB 961 - That HB 961 be concurred in. Motion carried as follows:

Ayes: Anderson, Blaylock, Boylan, Christiaens, Crippen, Daniels, Eck, Fuller, Galt, Goodover, Haffey, Hammond, Jacobson, Kolstad, Lane, Lynch, Manning, Neuman, Pinsoneault, Stimatz, Thayer, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 26

Noes: Aklestad, Bengtson, Brown, Conover, Farrell, Gage, Halligan, Harding, Himsl, Hirsch, Keating, Lybeck, Mazurek, McCallum, Mohar, Severson, Shaw, Smith, Story, Tveit, Weeding.

Total 21

Excused: None.
Total 0

Absent or not voting: Hager, Regan, Stephens.
Total 3

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Haffey moved the adoption of the committee report. Report adopted.

HB 198 - Senator Hammond rose to a point of order. He requested that the Journal reflect that he introduced the amendment to HB 198, on second reading this legislative day, and not Senator Towe.

At the request of Senator Towe, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Towe moved that the Journal reflect that the amendment on HB 198 was made by Senator Hammond. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Christiaens, Hammond, Jacobson, Neuman, Stimatz, Tveit, Van Valkenburg.
Total 7

Senator Eck moved that the rules be temporarily suspended for the purpose of accepting House amendments to SB 288. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 40

Noes: Aklestad, Galt, Goodover, Hammond, Himsl, Mohar, Shaw, Smith, Tveit.
Total 9

Excused: None.
Total 0

Absent or not voting: Kolstad.
Total 1

Senator Blaylock requested that SR 5 be placed on Order of Business No. 9 so a recorded vote could be taken. Motion carried unanimously.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

SR 5 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the Senate recess, subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 8:54 p.m.

Senate reconvened at 9:58 p.m.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill No. 928
Report No. 1, April 25, 1985

Mr. President:

We, your Free Conference Committee on House Bill No. 928 met and considered:

House Bill No. 928.

We recommend as follows:

That House Bill No. 928, reference copy, be amended as follows:

1. Page 7, line 23.
Strike: "100,000"
Insert: "30,000"

2. Page 7, line 25,
Page 8, line 2.
Strike: line 25, page 7 and line 2, page 8 in their entirety
Insert: "The Department of Fish, Wildlife, and Parks shall negotiate for the purchase of the Kleffner Ranch and is authorized to expend $30,000 from the coal tax park acquisition account after September 1986, as an option on the Kleffner Ranch, if the following conditions are met:

(1) a purchase price of not more than $300,000 is negotiated for ranch buildings, not less than 40 acres, and creek frontage;

(2) private donations of $150,000 have been pledged toward the purchase price or maintenance trust;

(3) all matters relating to federal Superfund designation have been resolved and the purchase would not involve any state Superfund liability;

(4) in September 1986, the Office of Budget and Program Planning has estimated that revenues are available in the 1987 biennium in the coal tax park acquisition account in excess of the amounts appropriated in House Bill Nos. 500 and 928;

(5) an appraisal of the property under negotiation is completed by an appraiser acceptable to the Department of Fish, Wildlife, and Parks and the owner, with the cost to be paid by the owner; and

(6) the purchase agreement provides that the option will be refunded if the 50th Legislature does not appropriate the remainder of the negotiated purchase price. The authority of the Department of Fish, Wildlife, and Parks to negotiate and enter a purchase agreement for the Kleffner Ranch does not constitute approval of the Kleffner Ranch as approval is contemplated in House Bill No. 500, and does not void the appropriation for operation and maintenance of state parks contained in item 6b of House Bill No. 500."

3. Page 12, line 25.
Following: "18-2-102."
Insert: "Section 18. HJR 50 study. There is appropriated $5,000 from the capital projects fund for the biennium ending June 30, 1987, to the Legislative Council for the purpose of conducting the study requested by House Joint Resolution No. 50."
Renumber: subsequent sections

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Fuller, Chairman	Hand
Christiaens	Miles
Tveit	J.K. Moore
	Thoft

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bill concurred in as amended and returned to the Senate for concurrence in House amendments: 4/25/85

SB 288, introduced by Eck

Second new conference committee report adopted: 4/25/85

HB 870, second new conference committee report

Free conference committee report adopted: 4/25/85

SB 25, free conference committee report

The House, on 4/25/85, acceded to the request of the Senate and appointed a conference committee to meet with a committee from the Senate to confer on House amendments to SB 72.

The Speaker appointed the following members:

Representative Hannah
Representative Rehberg
Representative Spaeth
Representative Williams

The House, on 4/25/85, dissolved the conference committee on Senate amendments to HB 928 and appointed a free conference committee.

The Speaker appointed the following members:

Representative Brown
Representative Keyser
Representative Marks
Representative Vincent

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Haffey in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 928 - That the free conference committee report on HB 928 be adopted. Motion carried as follows:

Ayes: Bengtson, Blaylock, Boylan, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Haffey, Halligan, Harding, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Mazurek, McCallum, Mohar, Pinsoneault, Severson, Shaw, Stimatz, Thayer, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 32

Noes: Aklestad, Anderson, Conover, Gage, Galt, Goodover, Hammond, Himsl, Keating, Manning, Regan, Smith, Stephens, Story, Tveit, Weeding.
Total 16

Excused: None.
Total 0

Absent or not voting: Hager, Neuman.
Total 2

SB 288 - That House amendments to SB 288 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.

Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Haffey moved the adoption of the committee report. Report adopted.

Senator Hager excused at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 198 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Hager.
Total 1

Absent or not voting: None.
Total 0

Senator Hager present at this time.

HB 410 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Eck.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senators Neuman and Regan excused at this time.

HB 704 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Severson, Shaw,

Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 41

Noes: Hammond, Himsl, Keating, Mohar, Pinsoneault, Smith, Mr. President.
Total 7

Excused: Neuman, Regan.
Total 2

Absent or not voting: None.
Total 0

Senators Neuman and Regan present at this time.

HB 961 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Christiaens, Crippen, Daniels, Eck, Fuller, Galt, Goodover, Haffey, Halligan, Hammond, Jacobson, Kolstad, Lane, Lynch, Manning, Neuman, Pinsoneault, Regan, Shaw, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 31

Noes: Aklestad, Brown, Conover, Farrell, Gage, Hager, Harding, Himsl, Hirsch, Keating, Lybeck, Mazurek, McCallum, Mohar, Severson, Smith, Stephens, Story, Tveit.
Total 19

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 928, free conference committee report, adopted as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Haffey, Hager, Halligan, Harding, Himsl, Jacobson, Kolstad, Lane, Lybeck, Lynch, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Thayer, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 37

Noes: Aklestad, Gage, Galt, Goodover, Hammond, Hirsch, Keating, Manning, McCallum, Smith, Story, Tveit, Weeding.
Total 13

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 288, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of Senator Towe, and without objection, Senator Towe's vote on House amendments to SB 288 be recorded as yes.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 5.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate amendments to House bill concurred in: 4/25/85

HB 240, introduced by Ramirez, et al.

MOTIONS

Senator Hager moved that the Senate reconsider its action in rejecting House amendments to SB 72 and that it be placed on second reading. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Story.
Total 1

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Haffey in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 72 - That House amendments to SB 72 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens,

Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Lynch.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Haffey moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 5.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Free conference committee report adopted: 4/25/85

HB 928, free conference committee report

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

SB 72, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Boylan, Daniels, Halligan, Lynch, Manning, Stimatz.
Total 6

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate recess, subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 10:22 p.m.

Senate reconvened at 11:06 p.m.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate amendments to House bills concurred in: 4/25/85

HB 198, introduced by Ramirez, et al.

HB 410, introduced by Harp, Mazurek

HB 704, introduced by Marks, et al.

MOTIONS

Senator Van Valkenburg moved that the President be authorized to appoint a committee of three to notify his Excellency, the Governor, that the Senate of the 49th Legislature has completed its business and is ready to adjourn sine die. Motion carried unanimously.

The President appointed the following members:

Senator Stimatz
Senator Neuman
Senator Aklestad

Senator Van Valkenburg moved that the President be authorized to appoint a committee of three to notify the House of Representatives that the Senate of the 49th Legislature has completed its business and is ready to adjourn sine die. Motion carried unanimously.

The President appointed the following members:

Senator Jacobson
Senator Hirsch
Senator Himsl

Senator Van Valkenburg moved that the President be authorized to appoint a committee of three to notify the Chief Justice and Justices of the Montana Supreme Court that the Senate of the 49th Legislature has completed its business and is ready to adjourn sine die. Motion carried unanimously.

The President appointed the following members:

Senator Mazurek
Senator Blaylock
Senator McCallum

The President dismissed the committees to perform their appointed duties.

Senator Van Valkenburg moved that the Senate stand at ease subject to the call of the Chair. Motion carried unanimously.

A committee from the House of Representatives was escorted to the rostrum by the Sergeant-at-Arms. They informed the Senate that the House of Representatives had completed its business and is ready to adjourn sine die.

The committee appointed to notify the House of Representatives was escorted to the rostrum by the Sergeant-at-Arms. They informed the Senate that they had delivered their message. The President thanked the committee and discharged the members.

The committee appointed to notify the Chief Justice and Justices of the Montana Supreme Court was escorted to the rostrum by the Sergeant-at-Arms. They informed the Senate that they had delivered their message. The President thanked the committee and discharged the members.

The committee appointed to notify the Governor was escorted to the rostrum by the Sergeant-at-Arms. They informed the Senate that they had

delivered their message. The President thanked the committee and discharged the members.

Senator Van Valkenburg moved that the Senate publish the journal of the proceedings of the 49th Legislature up through this legislative day and that the President be authorized to approve the payment of publishing costs. Motion carried unanimously.

Senator Van Valkenburg moved that Joint Rule 6-21 be interpreted by this body to allow five working days for the enrolling of all bills and resolutions passed by this 90th day. Motion carried unanimously.

Senator Van Valkenburg moved that the Senate adjourn sine die.

Motion carried.

Senate adjourned sine die at 11:24 p.m.

ADDENDUM
TO
SENATE JOURNAL

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 4/25/85

Signed by the President at 8:00 p.m., 4/25/85: HB 114, HB 224, HB 270, HB 497, HB 513, HB 616, HB 632, HB 681, HB 686, HB 696, HB 754, HB 873, HB 891, HB 901, HB 909, HB 932, HB 942, HB 952, HJR 41, HJR 45, HJR 48, HJR 50, HJR 52, HJR 55, HJR 56.

Delivered to the Governor for his approval at 4:00 p.m., 4/25/85: SB 54, SB 129, SB 178, SB 349.

Correctly enrolled: SB 13, SB 28, SB 33, SB 110, SB 119, SB 142, SB 182, SB 268, SB 291, SB 321, SB 390, SB 400, SB 419, SB 467, SJR 39, SJR 41. 4/26/85

Signed by the President at 2:00 p.m., 4/26/85: SB 13, SB 28, SB 33, SB 110, SB 119, SB 142, SB 182, SB 268, SB 291, SB 321, SB 390, SB 400, SB 419, SB 467, SJR 39, SJR 41.

Correctly enrolled: SB 236, SJR 42. 4/29/85

Delivered to the Governor for his approval at 10:00 a.m., 4/30/85: SB 28.

Delivered to the Governor for his approval at 10:15 a.m., 4/30/85: SB 13, SB 33, SB 110, SB 119, SB 142, SB 182, SB 268, SB 291, SB 321, SB 390, SB 400, SB 419, SB 467.

Correctly enrolled: SB 25, SB 72, SB 116, SB 250, SB 288, SB 289, SB 370, SB 377, SB 392, SB 431, SB 427, SB 449, SJR 5, SJR 36, SJR 44. 5/1/85

Signed by the President at 4:00 p.m., 5/1/85: SB 25, SB 72, SB 116, SB 236, SB 250, SB 288, SB 289, SB 370, SB 377, SB 392, SB 427, SB 431, SB 449, SJR 36, SJR 42, SJR 44.

Signed by the President at 4:45 p.m., 5/1/85: SB 236, HB 12, HB 198, HB 236, HB 240, HB 381, HB 410, HB 430, HB 550, HB 567, HB 636, HB 704, HB 766, HB 812, HB 861, HB 870, HB 922, HB 924, HB 928, HB 947, HB 949, HB 954, HB 961, HJR 57, HJR 58.

Signed by the President at 5:00 p.m., 5/1/85: HB 212, HB 295, HB 374, HB 375, HB 633, HB 717, HB 727, HB 739, HB 775, HB 798, HB 826, HB 919, HB 935, HB 938, HB 945, HB 956, HB 500.

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman April 30, 1985
President of the Senate

State Capitol
Helena, Montana 59620

Dear Mr. President:

This is to inform you that I have signed Senate Bill No. 28 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 30, 1985

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 54, 77, 178, 204, 349, 452, and 462 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

May 6, 1985

Dear Mr. President:

This is to inform you that I, as acting Governor, have signed Senate Bills No. 13, 119, 291, and 419 on this date.

Sincerely,

George Turman
Lt. Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

May 9, 1985

Dear Mr. President:

This is to inform you that I have signed Senate Bills No. 25, 33, 72, 110, 129, 142, 182, 236, 250, 268, 288, 289, 321, 370, 377, 390, 392, 400, 427, 431, and 449 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

May 13, 1985

Dear Mr. President:

This is to inform you that I have signed Senate Bill No. 116 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

May 15, 1985

Dear Mr. President:

This is to inform you that I have signed Senate Bill No. 467 on this date.

Sincerely,

Ted Schwinden
Governor

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

SENATE JOURNAL

OF THE

SPECIAL SESSION

OF THE

FORTY-NINTH LEGISLATURE

OF THE

STATE OF MONTANA

1903

FIRST LEGISLATIVE DAY

Helena, Montana
June 28, 1985

Senate Chambers
State Capitol

Senate convened at 9:02 a.m., President Norman presiding. Invocation by the Chaplain, Father Noonan. Pledge of Allegiance to the Flag.

Roll call. All members present except Galt, Mohar, Smith, excused. Quorum present.

COMMUNICATIONS AND PETITIONS

Senator Van Valkenburg moved that the communication to the Secretary of State requesting that a poll be conducted to convene a special session and the certificate of the Secretary of State announcing the tally of the ballots be deemed read. Motion carried unanimously.

TO: Mr. Jim Waltermire
Montana Secretary of State
State Capitol
Helena, Montana 59620

We, the undersigned members of the 49th Legislative Assembly of the State of Montana, do hereby make this written request that you, as Secretary of State and in accordance with the duties imposed on you by law, do poll the members of the legislature to determine if a majority are in favor of a special session as follows:

a) the conditions warranting the call of a special session are: The mistake made during the 1985 Regular Legislative Session dealing with the increase of vehicle fees and the result in loss of expected local government and school district revenues.

b) The purpose of the special session is: To correct action taken during the 1985 Regular Legislative Session which inadvertently lowered the basic fee paid in lieu of tax on automobiles and light trucks which will have a negative impact on local governments and school districts through lost revenues estimated at $9.4 million.

c) The proposed convening date and time of the special session is: Friday, June 28, 1985 at 9:00 a.m., MDT.

We further request that you specify that the date by which the legislators must return their ballots be: 5:00 p.m., June 25, 1985.

Dated this 15th day of June, 1985.

Signed:

Representative Dave Brown	House District 72
Representative Dan Harrington	House District 68
Senator Larry Stimatz	Senate District 35
Senator J.D. Lynch	Senate District 34
Representative Robert Pavlovich	House District 70
Senator Judy Jacobson	Senate District 36
Representative Cal Winslow	House District 89
Representative Richard M. Nelson	House District 6
Representative Jesse A. O'Hara	House District 39
Representative Dennis R. Rehberg	House District 88
Senator Thomas F. Keating	Senate District 44
Representative Tom Asay	House District 27

I, JIM WALTERMIRE, Secretary of State of the State of Montana do hereby certify that on June 26, 1985, the tally of 139 ballots for a call of a special session of the Montana Legislature showed the following vote:

	In Favor	Opposed
Senate	29	17
House	58	35
Total	87	52

I further certify, that as per the petition for the call of a special session, a majority of legislators having voted in favor of such special session, that the first special session of the 49th Montana Legislature shall convene at 9:00 a.m., MDT, Friday, June 28, 1985, at the State Capitol.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Great
Seal of the State of Montana, this
26th day of June, 1985.

JIM WALTERMIRE
Secretary of State

Senator Van Valkenburg moved that the President be authorized to appoint a select committee of three to notify his Excellency, the Governor, that the Senate is organized for special session and is ready to receive any messages he wishes to deliver. Motion carried unanimously.

The President appointed the following members:

Senator Lynch, Chairman
Senator Mazurek
Senator McCallum

Senator Van Valkenburg moved that the President be authorized to appoint a select committee of three to notify the Chief Justice and Justices of the Supreme Court that the Senate is organized for special session and is ready for the transaction of business. Motion carried unanimously.

The President appointed the following members:

Senator Jacobson, Chairman
Senator Daniels
Senator Farrell

Senator Van Valkenburg moved that the President be authorized to appoint a select committee of three to notify the House of Representatives that the Senate is organized for special session and is ready for business and that the Senate wishes them success in their deliberations. Motion carried unanimously.

The President appointed the following members:

Senator Lybeck, Chairman
Senator Bengtson
Senator Himsl

The select committees were dismissed to perform their duties.

Senator Van Valkenburg moved that the Senate recess subject to the call of the Chair to await the reports of the select committees. Motion carried unanimously.

Senate recessed at 9:10 a.m.

Senate reconvened at 9:19 a.m.

REPORTS OF SELECT COMMITTEES

The select committees appointed to notify the Governor, the Chief Justice and Justices of the Supreme Court, and the House of Representatives that the Senate was ready for the transaction of business reported to the members of the Senate. The President thanked the committees and discharged them.

MOTIONS

Senator Van Valkenburg moved that the Senate recess subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 9:24 a.m.

Senate reconvened at 10:52 a.m.

COMMUNICATIONS AND PETITIONS

Honorable Bill Norman
President of the Senate
Capitol Building
Helena, MT 59620

June 28, 1985

Dear President:

The Court will most appreciate your support and consideration in adopting an amendment to Senate Bill No. 25, adopted in the 1985 regular session, relating to funding assistance to the various counties for the District Court system.

The bill is an executive branch legislative act of major proportions. Under the bill, the administrative functions are to be carried out by the Montana Supreme Court.

The amendment requested would transfer these executive branch functions to an appropriate executive branch agency, such as the Department of Commerce, which Department presently administers existing emergency court funding by the state for the counties.

I will not burden you with a lengthy analysis of the legislation other than to say that under the separation of powers provision of our State Constitution, Article III, Section 1, "No person or persons charged with the exercise of power properly belonging to one branch shall exercise any power properly belonging to either of the others. . . ."

Senate Bill No. 25 places in the hands of the judiciary a major executive branch function.

Under the bill the Court is to parcel out millions of dollars to local government. Inevitably when significant funds are at stake, disputes will arise and having arisen, the parties will turn to the courts for a resolution. The Supreme Court would inevitably be involved in sitting in judgment on its own (executive branch) acts which, of course, is entirely unacceptable.

The Court fully realizes the reluctance to expand any part of the special session. However, this request is within the subject matter of the special session because the funding bill and the administration bill are directly related.

Sincerely,
J. A. Turnage
Chief Justice

MOTIONS

Senator Van Valkenburg moved that the officers, organization, standing committees, rules with the exception of Senate Rule 7-3, and Joint Rules, with the exception of Joint Rules 6-7, 6-8, 6-19, 6-20, 6-22, and 6-29, of the 49th Legislature be made the officers, organization, standing committees, rules and Joint Rules of the first special session of the 49th Legislature. Motion carried unanimously.

FIRST READING OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SB 1, introduced by Hager, (By Request of the Revenue Oversight Committee). Referred to Committee on Taxation.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate recess subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 10:59 a.m.

Senate reconvened at 11:42 a.m.

REPORTS OF STANDING COMMITTEES

TAXATION (Towe, Chairman): 6/28/85

SB 1, introduced bill, be amended as follows:

1. Title, line 7.
Following: "FEE;"
Insert: "TRANSFERRING THE ADMINISTRATION OF STATE FUNDING FOR DISTRICT COURTS FROM THE SUPREME COURT TO THE DEPARTMENT OF COMMERCE; APPROPRIATING TO THE DEPARTMENT OF COMMERCE FUNDING FOR THE STATE FUNDING OF DISTRICT COURTS; DELETING THE FUNDING FROM THE SUPREME COURT BUDGET;"

2. Title, line 8.
Following: "1985"
Insert: ", SECTIONS 1 THROUGH 5, 10, 15, AND 16 OF CHAPTER 680, LAWS OF 1985"

3. Page 3, line 2.
Following: line 1
Insert: "Section 3. Section 1, Chapter 680, Laws of 1985, is amended to read:

"Section 1. State assumption of certain district court expenses. (1) Effective July 1, 1985, the state shall, to the extent that money is appropriated, fund the following district court expenses in criminal cases only:

(a) salaries of court reporters;

(b) transcripts of proceedings;

(c) witness fees and necessary expenses;

(d) juror fees;

(e) indigent defense; and

(f) psychiatric examinations.

(2) The ~~supreme court administrator, under the direction of the supreme court and~~ department of commerce, in consultation with the district judges for each judicial district, shall include within the ~~supreme court's~~ department's biennial budget request to the legislature a request for funding the expenses listed in subsection (1).

(3) If money appropriated for the expenses listed in subsection (1) is insufficient to fully fund those expenses, the county is responsible for payment of the balance. If no money is appropriated, the county is responsible for payment of all expenses."

Section 4. Section 2, Chapter 680, Laws of 1985, is amended to read:

"Section 2. Fiscal administration for payment of court expenses. The ~~supreme court administrator~~ department of commerce shall:

(1) establish procedures for disbursement of funds for payment of district court expenses listed in [section 1], including prorating of those funds if they are insufficient to cover all expenses listed in [section 1];

(2) ~~in consultation with the department of commerce,~~ develop a uniform accounting system for use by the counties in reporting court expenses at a detailed level for budgeting and auditing purposes; and

(3) provide for annual auditing of district court expenses to assure normal operations and consistency in reporting of expenditures."

Section 5. Section 3, Chapter 680, Laws of 1985, is amended to read:

"Section 3. Reimbursement for juror and witness fees. According to procedures established by the ~~supreme court administrator~~ department of commerce under [section 2(1)], each clerk of district court shall submit to the ~~supreme court administrator~~ department a detailed statement containing a list of witnesses and jurors for criminal cases only and the amount of per diem and mileage paid to each by the county. Upon receipt and verification of the statement, the ~~administrator~~ department shall promptly reimburse the designated county for the cost of witness and juror fees on a full or prorated basis in accordance with [section 2]. The county shall deposit the amount reimbursed in its general fund unless the county has a district court fund. If the county has a district court fund, the amount reimbursed must be deposited in such fund."

Section 6. Section 4, Chapter 680, Laws of 1985, is amended to read:

"Section 4. Section 3-5-602, MCA, is amended to read:

"3-5-602. Salary and expenses — apportionment. (1) Each reporter is entitled to receive a base annual salary of not less than $16,000 or more than $23,000 and no other compensation except as provided in 3-5-604. The salary shall be set by the judge for whom the reporter works. The salary is payable in monthly installments out of the general funds of the counties comprising the district for which the reporter is appointed and out of an appropriation made to the ~~supreme court~~ department of commerce as provided in subsection (2).

(2) The ~~supreme court administrator~~ department of commerce shall determine the total number of civil and criminal actions commenced in the preceding year in the district court or courts in the judicial district for which a reporter is appointed. The state shall pay its portion of the reporter's salary based on the proportion of the total number of criminal actions commenced in the district court or courts in the district and the amount appropriated for that purpose. Each county shall pay its portion of the remainder of the salary based on its proportion of the total number of civil and criminal actions commenced in the district courts in the district. The judge or judges of the district shall, on January 1 of each year or as soon thereafter as possible, apportion the amount of the salary to be paid by each county in his or their district on the basis prescribed in this subsection. The portion of the salary payable by a county is a district court expense within the meaning of 7-6-2351, 7-6-2352, and 7-6-2511.

(3) In judicial districts comprising more than one county, the reporter is allowed, in addition to the salary and fees provided for in subsection (1), his actual and necessary travel expenses, as defined and provided in 2-18-501 through 2-18-503, when he goes on official business to a county of his judicial district other than the county in which he resides, from the time he leaves his place of residence until he returns thereto. The expenses shall be apportioned and payable in the same way as the salary.""

Section 7. Section 5, Chapter 680, Laws of 1985, is amended to read:

"Section 5. Section 3-5-604, MCA, is amended to read:

"3-5-604. Transcript of proceedings. (1) Each reporter must furnish, upon request, with all reasonable diligence, to a party or his attorney in a case in which he has attended the trial or hearing a transcript from his stenographic notes of the testimony and proceedings of the trial or hearing or a part thereof, upon payment by the person requiring the same of $2 per page for the original transcript, 50 cents per page for the first copy, 25 cents per page for each additional copy.

(2) If the county attorney, attorney general, or judge requires a transcript in a criminal case, the reporter is entitled to his fees therefor, but he must furnish it. Upon furnishing it, he shall receive a certificate for the sum to which he is entitled. The reporter shall submit the certificate to the ~~supreme court administrator who~~ department of commerce which, in accordance with [section 2], is responsible for the prompt payment of all or a portion of the amount due the reporter. If the ~~supreme court administrator~~ department, in accordance with [section 2], pays none or only a portion of the amount due, the county shall pay the balance upon receipt of a statement from the reporter.

(3) If the judge requires a copy in a civil case to assist him in rendering a decision, the reporter must furnish the same without charge therefor. In civil cases, all transcripts required by the county shall be furnished, and only the reporter's actual costs of preparation may be paid by the county.

(4) If it appears to the judge that a defendant in a criminal case is unable to pay for a transcript, it shall be furnished to him and paid for by the state in the manner provided in subsection (2) to the extent funds are available. The county shall pay the remainder as required in [section 1].""

Section 8. Section 10, Chapter 680, Laws of 1985, is amended to read:

"Section 10. Section 46-8-201, MCA, is amended to read:

"46-8-201. Remuneration of appointed counsel. (1) Whenever in a criminal proceeding an attorney represents or defends any person by order of the court on the ground that the person is financially unable to employ counsel, the attorney shall be paid for his services such sum as a district court or justice of the state supreme court certifies to be a reasonable compensation therefor and shall be reimbursed for reasonable costs incurred in the criminal proceeding.

(2) The expense of implementing subsection (1) is chargeable as provided in [section 1] to the county in which the proceeding arose, the ~~office of supreme court administrator~~ department of commerce, or both, except that:

(a) in proceedings solely involving the violation of a city ordinance or state statute prosecuted in a municipal or city court, the expense is chargeable to the city or town in which the proceeding arose; and

(b) when there has been an arrest by agents of the department of fish, wildlife, and parks or agents of the department of justice, the expense must be borne by the state agency causing the arrest.""

Section 9. Section 15, Chapter 680, Laws of 1985, is amended to read:

"Section 15. Section 46-15-104, MCA, is amended to read:

"46-15-104. Expenses of witness. (1) When a person attends before a magistrate, grand jury, or court as a witness in a criminal case upon a subpoena or in pursuance of an undertaking, the judge, at his discretion, by a written order may direct the clerk of the court to draw his warrant upon the county treasurer in favor of such witness for a reasonable sum, to be specified in the order, for the necessary expenses of the witness.

(2) According to procedures established by the ~~supreme court administrator~~ department of commerce under [section 2(1)], the clerk of district court shall submit to the ~~supreme court administrator~~ department a detailed statement containing a list of witnesses and the amount of expenses paid to each by the county. Upon receipt and verification of the statement, the ~~administrator~~ department shall promptly reimburse the designated county for all or a portion of the cost of witness expenses. The county shall deposit the amount reimbursed in its general fund unless the county has a district court fund. If the county has a district court fund, the amount reimbursed must be deposited in such fund.""

Section 10. Section 16, Chapter 680, Laws of 1985, is amended to read:

"Section 16. Section 46-18-235, MCA, is amended to read:

"46-18-235. Disposition of money collected as fines and costs. The money collected by a court as a result of the imposition of fines or assessment of costs under the provisions of 46-18-231 and 46-18-232 shall be paid to the county general fund of the county in which the court is held, except that:

(1) if the costs assessed include any district court expense listed in [section 1], the money collected from assessment of these costs must

be paid to the ~~supreme court administrator~~ department of commerce for deposit into the state general fund to the extent the expenses were paid by the state; and

(2) if the fine was imposed for a violation of Title 45, chapter 9, the court may order the money paid into the drug forfeiture fund maintained under 44-12-206 for the law enforcement agency which made the arrest from which the conviction and fine arose.""

NEW SECTION. Section 11. Appropriation transfer. The general fund appropriation to the Supreme Court for state funding of certain District Court operations contained in item No. 4 of the Judiciary budget as contained in House Bill 500, L. 1985, is transferred to the Department of Commerce. In accordance with such transfer, the spending authority of the Supreme Court is reduced $3,170,633 for fiscal year 1986 and $3,152,873 in fiscal year 1987, and there is appropriated to the Department of Commerce from the general fund $3,170,633 for fiscal year 1986 and $3,152,873 in fiscal year 1987 for certain District Court operations."

Renumber: subsequent sections

4. Page 3, line 4.
Following: "approval"
Insert: ","
Following: "and"
Strike: "applies"
Insert: "sections 1 and 2 apply"

5. Page 3, line 6.
Following: "1985"
Strike: "it applies"
Insert: "sections 1 and 2 apply"

6. Page 3, line 9.
Following: "(2)"
Strike: "This act terminates"
Insert: "Sections 1 and 2 terminate"

And, as amended, do pass. Report adopted.

MOTIONS

Senator Van Valkenburg moved that the Senate recess until 1:30 p.m. Motion carried unanimously.

Senate recessed at 11:47 a.m.

Senate reconvened at 1:40 p.m.

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 6/28/85
Correctly printed and placed on the members' desks: SB 1.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 6/28/85

Recommend that the following attaches be hired by the Senate for the 49th Legislature, Special Session:

Bonnie R. Wallem.....Secretary of the Senate
Robert C. Noonan.....Chaplain
Ralph Erving.....Sergeant-at-Arms
Sidney Armstrong.....Assistant Secretary of Senate
Vicki Lofthouse.....Secretary to Secretary of Senate

Bobbie Murphy .....Secretary to the President
Margaret Regan.....Assistant Sergeant-At-Arms
Rose Munger.....Journal Clerk
Kathleen Ely.....Assistant Journal Clerk
Nancy Ritz .....Computer Input Technician
Cindy Jeske.....Assistant Bills Distributor
Glenda Pennington .....Committee Secretary
Sylvia Kinsey.....Committee Secretary
Barbara Simic.....Secretary to the Minority Floor Leader
Rosemary Jacoby.....Secretary to the Minority Whip
Melinda Lane .....Page
B. J. Harris.....Page

Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Fuller in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 1 - That SB 1, second reading copy, be amended as follows:

1. Title, line 4.
Following: line 3
Insert: "AMOUNT OF THE"

2. Title, line 5.
Following: "SYSTEM"
Strike: remainder of line 5 through "FEE;" on line 6
Insert: "REMOVING THE INFLATION COMPUTATION FOR FUTURE YEARS;"

3. Page 1, line 21.
Following: "~~(2)~~"
Strike: "(3)"
Insert: "(2)"

4. Page 2, line 5.
Following: "~~$77~~"
Strike: "$70"
Insert: "$82"
Following: "~~$97~~"
Strike: "$90"
Insert: "$106"

5. Page 2, line 9.
Following: "~~45~~"
Strike: "40"
Insert: "47"
Following: "~~55~~"
Strike: "50"
Insert: "59"

6. Page 2, line 11.
Following: "~~12.50~~"
Strike: "10"
Insert: "12"

Following: "~~17.50~~"
Strike: "15"
Insert: "18"

7. Page 2, lines 12 through 23.
Strike: subsection (2) in its entirety
Renumber: subsequent subsection

8. Page 12, line 5.
Following: "~~terminates~~"
Strike: remainder of line 5
Insert: "Section 2 terminates"

9. Page 12, line 6.
Following: "1987."
Strike: remainder of lines 6 and 7 in their entirety

Amendment failed as follows:

Ayes: Aklestad, Anderson, Crippen, Farrell, Gage, Goodover, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, McCallum, Shaw, Stephens, Stimatz, Story, Thayer, Tveit.
Total 19

Noes: Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Hager, Halligan, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Neuman, Pinsoneault, Regan, Severson, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 28

Excused: Galt, Mohar, Smith.
Total 3

Absent or not voting: None.
Total 0

That SB 1 do pass. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 37

Noes: Aklestad, Boylan, Gage, Goodover, Hammond, Himsl, Kolstad, Shaw, Stephens, Tveit.
Total 10

Excused: Galt, Mohar, Smith.
Total 3

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Fuller moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

SB 1 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Galt, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Smith, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 39

Noes: Aklestad, Boylan, Gage, Goodover, Hammond, Himsl, Kolstad, Stephens, Shaw, Tveit.
Total 10

Paired: Galt, Smith, Ayes; Shaw, Stephens, Noes.

Excused: Mohar.
Total 1

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 5.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bill passed and transmitted to the Senate for concurrence: 6/28/85

HB 1, introduced by Bardanouve

FIRST READING OF BILLS

The following House bill was introduced, read first time, and referred to committee:

HB 1, introduced by Bardanouve. Referred to Committee on Finance and Claims.

MOTIONS

Senator Van Valkenburg moved that the Senate recess subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 2:33 p.m.

Senate reconvened at 3:01 p.m.

REPORTS OF STANDING COMMITTEES

FINANCE AND CLAIMS (Regan, Chairman): 6/28/85
HB 1, be concurred in. Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Fuller in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 1 - That HB 1 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Galt, Mohar, Smith.
Total 3

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Fuller moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 1 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Hammond, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, Neuman, Pinsoneault, Regan, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 38

Noes: Aklestad, Boylan, Goodover, Harding, Kolstad, Shaw.
Total 6

Excused: Galt, Mohar, Smith.
Total 3

Absent or not voting: McCallum, Severson, Tveit.
Total 3

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate recess until 4:00 p.m. Motion carried unanimously.

Senate recessed at 3:10 p.m.

Senate reconvened at 4:17 p.m.

Senator Van Valkenburg moved that the Senate recess until 5:45 p.m. Motion carried unanimously.

Senate recessed at 4:19 p.m.

Senate reconvened at 6:53 p.m.

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 6/28/85

Signed by the President at 4:25 p.m., 6/28/85: HB 1.

MOTIONS

Senator Van Valkenburg moved that the President be authorized to appoint a committee of three to notify his Excellency, the Governor, that the Senate of the 49th Legislature, Special Session, has completed its business and is ready to adjourn sine die. Motion carried unanimously.

The President appointed the following members:

Senator Lynch, Chairman
Senator Mazurek
Senator McCallum

Senator Van Valkenburg moved that the President be authorized to appoint a committee of three to notify the House of Representatives that the Senate of the 49th Legislature, Special Session, has completed its business and is ready to adjourn sine die. Motion carried unanimously.

The President appointed the following members:

Senator Lybeck, Chairman
Senator Bengtson
Senator Himsl

Senator Van Valkenburg moved that the President be authorized to appoint a committee of three to notify the Chief Justice and Justices of the Montana Supreme Court that the Senate of the 49th Legislature, Special Session, has completed its business and is ready to adjourn sine die. Motion carried unanimously.

The President appointed the following members:

Senator Jacobson, Chairman
Senator Daniels
Senator Farrell

Senator Van Valkenburg moved that the Senate stand at ease subject to the call of the Chair. Motion carried unanimously.

Senate stood at ease at 6:56 p.m.

Senate reconvened at 7:02 p.m.

REPORTS OF SELECT COMMITTEES

The select committees appointed to notify the Governor, the Chief Justice and Justices of the Supreme Court, and the House of Representatives that the Senate was ready to adjourn sine die reported to the members of the Senate.

MOTIONS

Senator Van Valkenburg moved that the Senate publish the Journal of the proceedings of the 49th Legislature, Special Session. Motion carried unanimously.

Senator Van Valkenburg moved that Joint Rule 6-21 be interpreted by this body to allow five working days for the enrolling of all bills and resolutions passed by the special session. Motion carried unanimously.

Senator Van Valkenburg moved that the Senate adjourn sine die.

Motion carried unanimously.

Senate adjourned at 7:13 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

ADDENDUM
TO
SENATE JOURNAL

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bill concurred in and returned to the Senate: 6/28/85

SB 1, introduced by Hager

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 6/28/85
Correctly enrolled: SB 1.
Examined by the sponsor (Hager) and found to be correct: SB 1.
Signed by the President at 9:15 a.m., 6/29/85: SB 1.
Delivered to the Governor for his approval at 9:30 a.m., 6/29/85: SB 1.

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman June 29, 1985
President of the Senate
State Capitol
Helena, Montana 59620

Dear Mr. President:

This is to inform you that I have signed Senate Bill No. 1 on this date.

Sincerely,

Ted Schwinden
Governor

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